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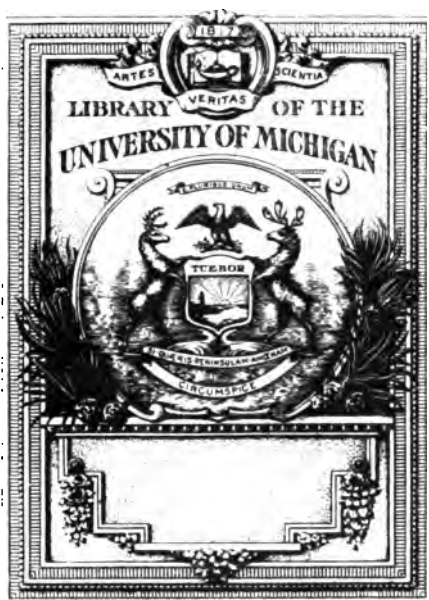
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BUILDING
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BUILDING
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A. C. Smith

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THE
HISTORY

Life of King Henry the Second,
And of the AGE in which he lived.

IN
FIVE BOOKS.

To which is prefixed,

A History of the Revolutions of ENGLAND,
From the Death of EDWARD the Confessor, to the Birth
of HENRY the Second.

By GEORGE Lord LYTTTELTON.

VOL. I.



DUBLIN,
Printed by and for GEORGE FAULKNER.
M DCC LXXIII.

P R E F A C E.

in this work, or any such remarks as I think would disagreeably interrupt the narration, I shall throw into notes, and place them at the end of each volume, reciting the several passages to which they refer, at the head of each note. There will also be joined to these some valuable pieces, not printed before, or printed in books that are in very few hands ; and some transcripts of charters, laws, ordinances, &c. which are too long to be inserted in the body of the history, or which some of my readers may like to see in the original language.

The life of Henry the Second, which I have chosen to make my principal subject, appears to me particularly instructive, from the uncommon variety of the events it contains ; from its being distinguished by great virtues and great faults ; by sudden and surprising changes of fortune in the affairs of this kingdom ; by the subjection of Wales, of Scotland, and of Ireland ; and by a glory surpassing all military achievements, the reformation of government, and the establishment of good laws, and wise institutions, beneficial to the public. These are objects deserving the attention of all ages ; and they who think it best to contract the accounts of such events into narrow abridgments, seem rather to favour the idleness than consult the instruction, or pleasure, of their readers. The greatest merit I can pretend to in composing this history will be a faithful compilation of all material facts, relating to my subject, from the most authentick evidence, that a very diligent and laborious search could procure. I shall always prefer the authority of contemporary writers to that of others more distant, and be most directed by those who had the best opportunities of being informed of the truth, and the best understandings to judge of it in doubtful matters ; unless, from an apparent bias on their minds, there is reason to distrust them as partial.

From

P R E F A C E.

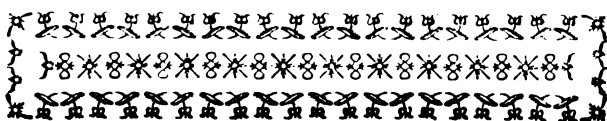
From the distance of the times I write of, this advantage arises (and to me it seems not a small one) that I shall be under no temptation to alter or disguise the truth of any facts, from a regard to present interests or present passions. The times we live in have no resemblance to those treated of here, either in the general state of publick affairs, or in the characters of eminent persons, or in the conduct of particular bodies of men. Whatever, for instance, is said of the clergy during the course of this work, let it be always remembered that it is said of the clergy in the eleventh and twelfth centuries; that is, in the most corrupt and dark ages of popery, when the pure light of the gospel was almost extinguished, and the ministers of it were become a mere faction, combined together, under a foreign head, against the civil power. No part of that blame can fall upon the present clergy of England. On the contrary, there is nothing that should more endear to us our happy establishment in church and state, than an attentive review of the many evils we suffered, when another religion, and, under the sanction of *that*, quite different notions of ecclesiastical power prevailed in this kingdom. Even with regard to civil liberty, if the degree of it enjoyed by our ancestors be compared with that ascertained, confirmed, and secured to us by our present constitution, the advantage will be found so great on our side, that it will make us more sensible of our felicity, and strengthen our zeal to maintain it. But at the same time we shall see that our claim of rights is supported on very ancient foundations; and that even the rudest form of our government has always been animated by the spirit of freedom. May that spirit continue to inspire and support it in the more perfect state, to which it has been gradually brought by the wisdom of many ages, and more particularly

P R E F A C E.

by the Revolution in the year sixteen hundred and eighty eight ; when the bounds of the royal prerogative were better marked out, and the privileges of the people more clearly defined and established, than at any other period from the Norman invasion, or even from the first settlement of the Saxons in Britain.



T H E



THE HISTORY

OF THE

Revolutions of England,

From the Death of EDWARD the Confessor
to the Birth of HENRY the Second.

THE kingdom of England, after having been harrassed by the invasions of the Danes, and subject successively to three kings of that nation, had been restored to the Anglo-Saxons at the death of Hardicanute, by the election of Edward, surnamed the Confessor, one of the sons of King Ethelred by Emma of Normandy. This prince, who was fitter for a monastery than a throne, having reigned, under the direction of the great lords of his court, about four and twenty years, died without issue, in the year of our Lord one thousand and sixty six. Towards the end of his life he had called over from Hungary his nephew Edward, son to his elder brother Edmond Ironside, with an intention to make him his successor. Edmond Ironside, at the death of his father, King Ethelred, had been acknowledged by the English as their sovereign, and had defended his kingdom, with extraordinary valour, against the Danes, till, by the treachery of

V. Malmsh.
l. ii. de gest.
Reg. Anglor.
f. 44.

V. Malmsh.
ibidem, f. 52.
sect 50.

V. Chron.
Saxon. sub
ann. 1016.
P. 148, 149,
150.
Malmfb.
l. ii. f. 41.
V. S. Du-
nelm. & Di-
ceto abbre-
Chron. sub
ann. 1017.
Brompt.
Chr. p. 907.

V. Malmfb.
l. ii. f. 45,
52.

one of his nobles, he was forced to divide it with Canute king of Denmark, and soon afterwards died. He left two sons, whom Canute sent into Sweden, that they might be there put to death ; as some historians relate : but others say, with more probability, that he ordered one of his Danes to carry them into Denmark ; and that the man, moved with pity for these innocent victims of a barbarous policy, instead of obeying that command, went with them into Sweden ; the king of which country, being apprehensive of bringing on himself a war with Canute, by protecting them there, conveyed them from thence into Hungary, where Edwin, the elder of them, died without posterity. The younger, named Edward, married Agatha, sister-in-law to Solomon king of Hungary, and daughter to the emperor Henry the Second. When the English, after the decease of the two sons of Canute, were again enabled to chuse a king of their own royal family, this prince would incontestibly have had the best title, if the Saxon constitution had always disposed of the crown in a lineal course of descent. But the notion of a strict hereditary right not being hitherto so established in England, as constantly to direct the succession, Edward, Ethelred's younger son, with the assistance of Godwin Earl of Wesssex, whose daughter he promised to marry, was raised to the throne ; and no notice was taken of his nephew during several years, till he was called home, at the desire of King Edward himself, and declared by that monarch, with the consent of the nation, heir to the crown. This could never have happened, if the election of his uncle, in preference to him, had not been esteemed a *legal act* : for no usurper, without being forced to it by foreign or civil arms, would bring the person, whose right he had invaded, to reside in his kingdom, with the rank of his successor, during his own life-

life-time. There being hardly any hopes of the king's having a child, and no other prince of the royal family remaining alive, except this Edward, and his son Edgar, the English, without impeachment of the former choice they had made, turned their eyes towards them, and willingly concurred with their sovereign in calling them over to inherit the kingdom. But it was otherwise directed by Providence. The unfortunate Edward died soon after his return into England, leaving the above-mentioned son, and two infant daughters, Margaret, and Christiana, whom the king, with great affection, bred up in his court, and even gave Edgar the title of Atheling, which belonged to the royal family, and seemed to mark him out as heir to the crown. Yet, notwithstanding this appearance of an adoption, as he was still under age when King Edward died, he was not thought capable of taking the government, and therefore was not nominated by that monarch at his death, to succeed to his kingdom; and the same objection prevailed with the great council, or Witenagemote, to set him aside, and elect Harold, the son of Earl Godwin.

The excluding of a minor from the succession in England was not new to the Saxons. They saw the evils that may attend a minority in the strongest lights, and did not consider (as they ought to have done) what greater mischiefs might follow, when a prince who had been thus excluded should come of age, and be capable of asserting a claim to the crown; but sought to avoid a present inconvenience, against which other and better remedies might have been found, with little providence or care for the future. It was from this short-sighted policy, and also from the desire of having a king able to command their armies himself in time of war (a duty they thought essential to sovereignty) that they now were induced to prefer Harold to Edgar.

V. Spelman.
Alfredi
Magni vita,
l. i. p. 9.

Edgar. If they could have found any other of the royal blood of England, who was not a minor, they would, undoubtedly, have preferred that person to Harold; because, though they often broke the line of succession, they always adhered to one family; for which reason they had permitted the sons of king Edgar, Edward the Martyr, and Ethelred, to take the crown, notwithstanding their nonage: but the experience of the misfortunes the nation had suffered, during the minority of the latter, might be an argument against Edgar Atheling: and if they would not make him their king, they were obliged to elect one from another family; in which case there was none that could stand in competition with that of Earl Godwin. For (besides the alliance which he had contracted with the Saxon royal blood, by the marriage of his daughter with Edward the Confessor) his second wife, by whom he had Harold, was niece to Canute the Great: the whole power of the government had long been vested in him and his sons; and after his decease Harold had drawn it all to himself, with no small advantage both to the crown and the nation. He so conducted the affairs of the kingdom, that he made the reign of a very weak prince most happy to the English: victory attended his arms on the borders; liberty and peace were maintained by him at home. There was much dignity, gracefulness, and strength in his person; he had a courage and resolution which nothing could daunt, an easy flow of natural eloquence, animated by a lively agreeable wit, and elevation of sentiments with popular manners. Besides all the lustre he drew from his political and military talents, in which he had no equal among his own countrymen, his character was embellished, and rendered more amiable, by a generous spirit, and a heart in which humanity tempered ambition. It does not appear that his virtues were disgraced by

Florent. Wi-
gorn. p. 635.
sub ann.
1067. S.
Dunelm. de
gest. Reg.
Angl. p. 197.
sub ann.
1067.

Ord. Vital.
l. iii. p. 492,
et 500.
Malmsh. de
Gul. l. i. ii.
f. 52.

by the mixture of any vice or weakness, which could dishonour him in the eyes of the public. Upon the whole, he was worthy of the crown he aspired to; which is confessed even by writers no way disposed to judge of him too favourably, and still better proved by all his behaviour after he was on the throne.

If we may believe some ancient historians of no little authority, his election was grounded on the last will of king Edward, or at least on his dying words: but even allowing their evidence in this point to be false, still that election will remain good and valid. For though the nomination of Edward, if given to Harold, was a very important advantage, because the Saxons usually ratified the will of their king in appointing a successor; yet his not being so named could not destroy the right of the nation to chuse a king for themselves, according to the maxims they had received from their ancestors; especially at a time when they were in danger of a foreign invasion. And the alarm of such a danger was then very great.

William Duke of Normandy, surnamed the Bastard, laid claim to the crown of England. He was son to Robert the Second, by Arlots, the daughter of a furrier at Falaise: but, notwithstanding his illegitimacy and the meanness of his mother, he had been allowed to succeed in the dutchy to his father, though not without the opposition of dangerous factions, particularly, during his nonage. They were all overcome by the prudent care of his guardians, and by his own great abilities, which, when he came to an age of manhood, raised the dutchy of Normandy to a higher pitch of glory, than it had ever attained to, under any of his predecessors.

That country, called Neustria, before it was gained by the Normans, had been yielded by Charles the Simple, in the year nine hundred and twelve,

See Malmsh.
l. ii. de Gul.
l. f. 52. et
Orderic. Vit.
l. iii. p. 492.
et 500.
See Flor.
Wigorn. &
Chron. Sax.
sub ann.
1066. Ead-
mer. hist.
nov. l. i. p. 5.
G. Pictav.
Gest. Gul.
Duc. p. 200.

twelve, to Rollo, a Danish prince, who, at the head of an army collected from all Scandinavia, had taken Roüen, and invaded from thence the neighbouring provinces, till the progress of his arms was stopped by this cession. For above half a century France had been desolated by these valiant corsairs, the last swarm of Barbarians emitted by the North. They came in flat-bottomed vessels, and sailing up the mouths of the principal rivers, ravaged the country with horrible devastations: but none before Rollo had acquired any fixed establishment in that kingdom. To him and his successors this province was granted, with the title of a dutchy, upon his consenting to embrace the Christian religion, and to hold his dutchy under homage to the French crown, which, by the divisions that had happened in the family of Charlemagne, and the incapacity of most of his successors, was fallen into great weakness. If the same government had continued, the posterity of Rollo would probably have become quite independent: but the monarchy being strengthened by the power of Hugh Capet and the kings of his race, the dukes of Normandy remained peers and vassals of France; and the Normans were gradually humanized by their intercourse with the French. They had brought with them, and pertinaciously retained, a fierce spirit of liberty, common to all the northern nations: but, though they preserved several of their own ancient customs, they received and adopted the system of feudal law, which was settled in France about the time of Hugh Capet, thinking it neither inconsistent with freedom, nor disagreeable to the genius of a military people. The treaty made with Rollo had rendered Bretagne a fief of their dutchy; and the Bretons were compelled, by the arms of the dukes of Normandy, to acknowledge their sovereignty; yet

yet not without repeated and vigorous efforts to shake off that dependence.

The first beginning of any connexion between the Normans and the English was in the year one thousand and two, when Ethelred king of England married Emma the daughter of Duke Richard the First, who was the grandson of Rollo. She brought him two sons, the princes Alfred and Edward, of whom the latter was distinguished afterwards by the name of the Confessor. The revolution which happened upon the death of her husband obliged her to send her children to Normandy, and take refuge herself in that country; from whence she returned, to give her hand to Canute, who, after the death of Edmond Ironside, Ethelred's son by a former wife, had, with the unanimous consent of the English, added the monarchy of England to that of Denmark. By this prince she had a son named Hardicanute, who in the year one thousand and thirty six succeeded to him in Denmark; but England fell to Harold, surnamed Harefoot; his son by an English lady, whom some authors call his wife, and others his mistress. As for the sons of Emma by Ethelred, they had remained, during the life of Canute, in the court of the duke of Normandy; their mother being afraid to bring them into England, lest they should be sacrificed to the jealousy of that king. But, on the death of his father in law, Alfred came over: and unhappily trusting his person to earl Godwin was delivered by him to Harold Harefoot, who put out his eyes; of which cruel treatment he died, much lamented by the English. Emma thereupon fled again out of England, and continued in Flanders till after Harold's decease, which happened in the year one thousand and thirty nine. Hardicanute, who succeeded to his brother without opposition, recalled her from thence, and also Prince Edward, her son, from Normandy;

Encomium
Emmæ.
Malmsh. de
gest. Reg.
Angl. l. ii.

Vid. Ingulphum, p. 62.

Chron. Sax-
on. sub ann.
1051, 1052.

V. Ingulph.
p. 68. sub
ann. 1065.

See Ingulph.
Pictaven.
Gernitacen.
Order. Vital.
H. Huntin.

E contra,
Chron. Sax.
Flor. Wi-
gorn. Sim.
Dunelm.

Normandy ; where he had resided so long, and received such impressions from education and habit, that he was become almost a Norman. When he was set on the throne of England, he followed the customs and fashions of Normandy, and introduced many of them into his kingdom : the French language was spoken by most of his nobility, and the Norman forms were used in legal proceedings. Bishopricks, earldoms, and lands were given by him to several Normans ; his court was filled with them ; and they so engrossed his favour, that at last, by their influence, earl Godwin and his sons were driven out of England : but they presently returned, and obtained a decree, from the king and the great council, to expel all the Normans ; among whom was Robert archbishop of Canterbury, who died in his exile. Nevertheless the king's heart remained unaltered. He kept up a close friendship with William duke of Normandy, and, after the death of his nephew, secretly promised to appoint him his successor in the kingdom of England : a promise not confirmed by the consent of the nation, and to which they paid no regard. On the contrary, the apprehension of being subjected to the government of a foreigner, which, Harold, who was informed of the pretensions of William before Edward died, infused into them on that event, inclined them the more to set aside Edgar Atheling ; as, in such a conjuncture, the defence of the kingdom seemed absolutely to require a prince of experienced valour and wisdom. The best expedient would have been, to have given the crown to Edgar, and made Harold protector : but it was not then thought of ; or at least we do not find that it was ever proposed.

No credit, I think, is due to what is said by some historians, in contradiction to others of better authority in this point, *that Harold intruded himself into*

into the throne without the general consent of the nation. There is more reason to wonder, that, when the Normans were masters of England, any who lived in those times, or soon afterwards, should dare to write truth upon so delicate a subject, than that some of them should impeach the title of Harold, and speak of him as an usurper. But that he had the affections of the nobles and people strong on his side appears from this fact, in which all the contemporary authors agree, that no party declared itself, while he was alive, either in behalf of Edgar or of William. The latter indeed had nothing to alledge in support of his claim, but the promise of the late king, not even authenticated by his last will: and his will itself, had it been made in favour of William, without the ratification of the great council, would not have been obligatory to the people of England.

Eadm. hist. nov.
Diceto,
Abb. Chron.
Hoveden.
ann. p. 1.
omnes sub
ann. 1065,
1066.

See Ingulph.
p. 65. 68.
Malmsb. l.
ii. f. 52.

The duke indeed might charge Harold with the breach of an oath; that nobleman having sworn to him, not long before, that he would assist him in his views of succeeding to Edward; which he was induced to do by a kind of compulsion. For, being at sea, upon a party of pleasure, he was surprised by a storm, and thrown on the territories of the earl of Ponthieu, who inhospitably seized and detained him a prisoner, hoping to obtain a great ransom for him. In this distress he applied to the duke of Normandy, of whom the earl held some Norman fiefs, and begged his assistance. That prince immediately procured his release, and received him in Normandy with many demonstrations of the highest regard. But he, who felt that he was only in a more honourable state of captivity, while he was there, under the power of the duke, sought to recover his liberty at any rate; and therefore took the above-mentioned oath, too much and too evidently against his own interests, to permit one to think, that it could be a free or a

See William
of Malmsb.
l. ii. f. 52.
l. iii. f. 56.

volun-

voluntary act : though, to induce him the more to it, William promised to give him one of his daughters in marriage. He afterwards pleaded, that the constraint he was under, and the nature of the oath, illegal in itself, as being unauthorised by the consent of his country, dissolved the obligation. Certain it is, that he ought not to have entered into such a compact with the duke : yet a less ambitious man would have been deterred by it from endeavouring to gain a crown for himself which he had thus solemnly engaged to procure for another. But whatever restraint his oath might be upon him, it could not bind the nation, which was no party to that agreement. King Edward himself could have no power, and much less a subject, to dispose of the realm to a foreign prince without their approbation. It is therefore most evident, that the attempt of the duke of Normandy was an unjust violation of the rights of the English, and that those writers who have asserted that his title was good, or better than Harold's, did not very accurately consider the question : especially, if it be true (as is affirmed by many authors both English and Norman, whose testimony I think can hardly be rejected) that king Edward did on his death-bed nominate Harold his successor. For then he might plead (as William of Poictou says he did, in a message to the duke upon his landing in England) that although he had sworn to confirm to that prince the settlement of the crown, which Edward had formerly promised to make in his favour ; yet, as it had been since revoked by a later in favour of himself, which by the customs of England ought to take place, he could not be now obliged to fulfil an engagement, contracted under such different circumstances, and upon a foundation which no longer remained. Certainly this alteration of Edward's intention, if it did not free Harold from all the obligations incurred

See Flor.
Wigorn. et
Chron. Sax.
sub ann.
1066. Ead-
mer. l. i.
p. 5.
See Pict.
Gest. Gul.
Duc. p. 200.

red

red by his oath, took from the duke of Normandy the sole pretence, upon which he could have any pretensions to England: for though some of our ancient historians have laid a great stress upon the relation he bore to that king, whose mother Emma was aunt to his father, it is, I think, very clear, that, not having a drop of English blood in his veins, he could not, from so remote an affinity, derive any hereditary right to the crown. To Edward indeed it might be some recommendation, and together with the favours he had received in his youth from the duke, might incline him to bequeath his realm to that prince; from which the difficulties of bringing the nation to give their consent to it might force him to depart, and nominate Harold, agreeably to their wishes. But that *against* his last will, or even *without* it, the duke had any right of succession to the crown, cannot be supposed with the least shadow of reason. Yet, weak as his title was, it had the sanction of the pope's approbation, able in those days to supply all defects. This he gained by submitting his cause to the judgment of Rome, which Harold not doing, he was declared an usurper by Alexander the second; that see proceeding in this affair upon a political maxim it has often followed, to give sentence in favour of those who apply to it, against those who do not, without any regard to the merits of the case.

Malmsh. l.
iii. f. 56.

William having thus, as other usurpers had done before him, helped out a bad title, and hallowed an enterprize very unjust in itself, by the papal benediction, resolved to pursue it, notwithstanding such difficulties, as none but a great and heroic spirit would have dared to encounter. The forces of Normandy bore no proportion to those of the kingdom he designed to invade; and he had no reason to expect any addition of strength from the neighbouring princes: because many of them had been lately at enmity with him, and all were

jealous of the encrease of his power. He had indeed married the daughter of Baldwin the fifth, earl of Flanders who was then regent of France in the minority of Philip the first; and to this alliance he owed that he was not obstructed in his design by that crown; but he could not obtain from the government any assistance. It was not with a cowardly or dispirited people that he was to contend. The long and peaceful reign of king Edward the Confessor might have possibly rendered the Saxon militia somewhat less formidable: but still the general temper of the nation was warlike; nor was the tranquillity of those times so profound, as not to afford them some occasions of exercising their valour, in which they nobly maintained their old reputation. An English army, sent out of Northumberland, had vanquished Macbeth, and restored Malcolm Canmore to the kingdom of Scotland. Another had very lately, and under the command of Harold himself, subdued the Welch. His navy was much superior to that of the Normans, both in the number of ships and goodness of sailors; as the Norman writers themselves acknowledge. He was further strengthened by a close alliance with Denmark, being of the royal blood of that nation, by Githa his mother, who was sister to Swain, or Sueno, the king then reigning; which naturally endeared him to all his subjects of Danish extraction, who were still very numerous in some parts of England, and was a much nearer connexion than the ancient relation between the Danes and the Normans. We even find, that a considerable body of troops was sent to him by his uncle, on the first alarm of an invasion designed against him from Normandy. On the side of Wales, or of Scotland, he had nothing to fear; the princes, who governed the Welch, being attached to his interests; and the Scotch under Malcolm, who owed his crown to the English, having

See Dunelm.
et Hoveder.
sub ann.
1054.
Malmsh. de
gest. R. A.
f. 44. c. 13.
See In-
gulph. p.
68.
Flor. Wi-
gorn. sub
ann. 1063.
Malmsh. f.
44. Du-
nelm. sub.
ann. 1064.
See Pic-
t. Gest. Gul.
D. p. 198.
et Ord. Vit.
l. iii. p. 493.
See Flor.
Wigorn. p.
635. sub.
ann. 1067.
et Ord. Vit.
p. 502. l. iii.
et. S. Dun.
de gest. R.
A. p. 197.
sub ann.
1067. Pic-
tav. gest.

having a league of friendship with that nation, on which Harold might rely with security. Among his own people there was no discontent, to invite or assist an invader. His government was so gracious, that his subjects would have loved him, though he had been an usurper. And, if we may judge from what had passed in the reign of Edward the Confessor, the Normans were of all foreigners the most odious to the English, whose animosity against them had appeared in national acts, and had overpowered the inclinations expressed by Edward in their favour. When all these circumstances are considered, it may well be affirmed, that there is no enterprize recorded in history more surprizingly bold than this of the duke of Normandy. But what, in an ordinary man, would be a culpable rashness, in a great man is a proper exertion of extraordinary talents. So strong was the influence which the superior genius of this prince had over the Normans, that, as if he had animated them with his own spirit, they voluntarily agreed to give him the aid he desired, in this unnecessary and dangerous war, which they were now bound to support in virtue of their tenures, and followed him to it with no less alacrity, than if it had been their own quarrel. But, being sensible of the danger of leaving his dominions so stripped of their forces, he provided against it by a league with the emperor Henry the Fourth, a mighty and warlike prince, who promised to defend him, as an ally of the empire, against any invader. And thus he took off, or much lessened, a very weighty objection, which some of the nobility are said to have urged against his undertaking, when he first proposed it to his council. Eustace earl of Bologne confederated with him therein, and even served him in person. This added much to his strength, Bologne being, at that time, very considerable in navigation and maritime power; which helped to

Gul Ducis Norm. p. 201. See Ingulph. sub ann. 1095. Flor. Wi. gorn. sub ann. 1064. Sax. Chron. sub ann. 1063. See Dunelm. et Flor. Wi. gorn. sub ann. 1066.

See Orderic. Vital. et gest. Gul. Duc. sub. ann. 1066. Malmsh. l. iii. f. 56. sect. 50.

REVOLUTIONS of ENGLAND

supply the deficiency of his shipping and seamen. Nor was it a small advantage that he drew from the reputation of Eustace, who, as he was accounted a person of great prudence and sagacity, seemed to vindicate the duke of Normandy, by the part he took in this enterprise, from the charge of temerity, and induced others of a like character to run the same hazard. Such was the fortune of that duke, and such his ability in negotiation, that he likewise obtained assistance from some princes of France, whose arms Harold had thought would have been rather employed to disturb him in Normandy, than abet his design upon England. Conan duke of Bretagne, on the first notice he received of that design, had declared war against him, in terms very offensive: but, before he could execute his intended hostilities, he fell sick and died, so opportunely for William, that it excited a suspicion of his having been poisoned at the instigation of that prince; but, I am persuaded, most unjustly: for the account given us of the means by which it was perpetrated is very incredible, and seems to have been grounded upon no better evidence than vulgar opinion. Hoel, the successor and brother in law of Conan, was so far from pursuing any revenge against the duke, that he sent a large force, under his son, Alan Fergant, to aid him in the war against King Harold; which decency would not have allowed him to do, had there been any sufficient cause to believe this report. Thus the impediment of a quarrel and a war with Bretagne, by which all William's views upon the kingdom of England would probably have been for ever defeated, was not only removed, but the heir of that duchy and the best of its soldiers were engaged in his service. The earl of Anjou also sent some troops to assist him, in the procuring of which he must have been very dextrous; no potentate

Gemiticen.
l. vii. c. 33.

tentate being less entitled than he to the friendship of that state, from which he had taken, but a little before, the earldom of Maine. Besides these auxiliaries, the high pay which he gave, and the promises which he made of lands in England, drew to his banner, from all the neighbouring countries, which happened at this time to be in peace, a great number of good officers and veteran soldiers, who wanted employment, and were ready to engage in any adventure, that might give them a prospect of advancing their fortunes. Indeed the nature of the governments then settled in Europe, and the temper of the people, disposed them so strongly to ambition and military achievements, that they could not live in quiet: and as the fashion of crusades was not yet introduced, to give a vent to their martial humour in Asiatick wars, it discharged itself in such enterprizes as this against England. The duke of Normandy's character answered all those difficulties, which might reasonably have deterred them from joining him in it, and raised their hopes above any apprehensions of danger. They called to mind, with what extraordinary valour and conduct he had subdued all the factions within his dominions, and triumphed over all enemies who had attacked him from without, among whom was his sovereign, Henry the First, king of France. Under a leader so intrepid, so prudent, and so fortunate, they confidently assured themselves of success, and fired their imaginations with splendid ideas of wealth and honours in England. Thus he made up an army of fifty thousand horse and ten thousand foot, all chosen men; according to the account of one who attended him in this expedition. To transport such a cavalry was an affair of much difficulty; yet he found means to do it, by the vast number of ships he procured for that purpose, having (as a contemporary historian affirms) a fleet of three thousand sail, great part

Orderic. Vital. et Pic-
tav. sub ann.
1066.

V. Pic-
tav. Gul. D.
p. 197. 199.
Orderic. Vit.
l. iii. p. 500.

V. Gemiti-
cen. l. vii. c.
34.

V. Malmsh. l.
iii. de W. l.
f. 56. text.
50. See also
the Appen-
dix.

of which he had ordered to be built with this intent. The charge of providing and equipping it was borne by his vassals, who contributed to it in proportion to the lands that each of them held. But Normandy alone could not furnish all the seamen such a navy required; and therefore it may be presumed, that some were obtained from his new ally in Bretagne, and many from Flanders and the earldom of Bologne.

V. Pictav.
et Orderic.
Vit. sub ann.
1066. Flor.
Wigorn. sub
eodem anno.

While this prince was thus busied in collecting together, or, rather, creating a force, which might enable him to contend for the crown he aspired to, Harold was no less active in making preparations to defend it against him. But, before the English monarch had occasion to oppose his arms to the Normans, he was obliged to employ them against other invaders, whom he did not expect. His own brother Tosti, a man given up to the worst passions, and capable of gratifying them by the worst means, was the first enemy who disturbed the peace of his realm. This lord, in the reign

Malmsh. de
gestis Reg.
Angl. l. ii.
f. 46.
Chron. Sax.
sub ann.
1064.

of Edward the Confessor, had been earl of Northumberland, and by many grievous oppressions had so irritated the people, that, rising in arms, they drove him out. Harold, having been sent with a commission from the king to suppress this revolt, was told by the Northumbrians, "*that they were born and bred freemen, and could not endure a tyrannical governor, but had learnt from their ancestors to secure to themselves either liberty or death.*" Such a language, by a man of a despotic temper, would, certainly have been deemed an unpardonable aggravation of their offence; but Harold respected it, admitted their plea, and even rendered himself their advocate with the king, (to whom his entreaties were commands) that they might have for their governor the person they desired, Morcar, the younger brother of Edwin earl of Mercia, whose father and grandfather had been dan-

dangerous enemies to his father and himself: a most laudable act, and which shews that he was worthy to rule a free kingdom! It may indeed be thought, that policy joined with generosity and with justice, in dictating to him this extraordinary conduct: for, besides the hearts of the people, he gained by it a connexion with two powerful nobles, who never forgot the obligation, and whose warm adherence to him must have greatly contributed to raise him to the throne. But Tosti could not pardon him for taking this part. Being now desperate in mind, as in fortune, he sought any opportunity of sacrificing his country to his revenge, and, upon Harold's election, exasperated by envy no less than resentment, offered himself and his friends to the duke of Normandy, whom he instigated to invade his brother's dominions. He and that prince were related, by having married two sisters; and, in the present circumstances, it appeared advantageous to William, that Tosti should, in his name, make an attempt upon England, and light up the flame of civil war in that kingdom, with such a force as could be easily and suddenly raised, while he himself was preparing a much greater armament, which could not be ready to act till late in the summer. Yet no Norman troops were entrusted to the conduct of this lord; but it seems that he hired some mercenary soldiers, and, by some means or other (perhaps from his father-in-law, the earl of Flanders) procured a fleet of sixty ships, with which he sailed to the isle of Wight, and there raised contributions. From thence he made a piratical war along all the coast of England, as far as to Sandwich; before Harold's royal navy, which was then sitting out against the duke of Normandy, was fully equipt. He had flattered himself, or, at least, had promised the duke, that many of his friends would rise to aid him, when he should appear on the coast: but not an English-

Ord. Vit. 1.
iii. sub ann.
1065, 1066.

Idem, ibid.
See also Ge-
miticen. l.
vii. c. 32.

Flor. Wi-
gord. sub
ann. 1066.
Ord. Vit. ib.
Malmsh. f.
52.

man joined him, except a few common sailors ; and of these the greater part were pressed into his service : so that, despairing of success, and fearing to abide the approach of the king, he was inclined to return to Normandy ; but, the wind not permitting, it, he sailed to the Humber, and committed some ravages on each side of that river, till Edwin and Morcar came against him with an army, which forced him to betake himself again to his ships, and seek a refuge in Scotland. After some months he returned, to invade his country once more, not with the duke of Normandy, but with another foreign prince, whom he accidentally met at sea, as some of the contemporary authors relate ; or had, by a previous negociation, incited to this enterprize, as others affirm. This was Harold Harfager, king of Norway, who, with three hundred great ships, or (according to other accounts) five hundred, and a formidable army of veteran soldiers, by which some of the Orkney islands had lately been subdued to his dominion, came, about the middle of September this year, into the mouth of the Humber. It does not appear that he undertook this expedition in concert with the Normans, or with any intentions but to act for himself : yet Tosti joined him, without regard to his former engagements, not caring by whom he might obtain the revenge he so vehemently desired.

Harold did not look for this attack. After the time when his brother was driven out of the Humber, his fleet and army had been constantly stationed to guard those parts of the island that are nearest to Normandy, from which country alone he had any apprehensions of a descent. The northern coasts being therefore left open and defenceless, the Norwegians advanced, without the least opposition, as far as York. When Harold heard of their landing, he instantly ordered his navy to sail to the Humber, and marched himself against the king

See Malmsh.
de gest. R. A.
l. ii. p. 52.
Huntingd. et
Saxon.
Chron. sub
ann. 1066.
See Ord.
Vit. et
Gemiticen.

ing of Norway, with the whole army he had raised against William, judging that there would be more danger in dividing his forces, than in leaving the southern coast of England exposed to the Normans, till he had overcome the invaders who were actually in the island. He might therefore more willingly incline to this conduct, if, as some authors affirm, he had received false intelligence, by which he gave credit, that the duke of Normandy was disposed to lay aside his design till another year. And the circumstance of his brother coming with the Norwegians might render him more apprehensive of any delay, and more impatient to drive them out of his kingdom. It would, perhaps, have been more prudent, if he had left his fleet in its former station. But before he came on, Edwin and Morcar, from a desire of saving York, had ventured to fight them, under the walls of that city, with such an army as they could collect by hasty levies, inferior in number to the enemy, and for the most part ill armed. Notwithstanding these disadvantages, the men were so brave, that they stood their ground for some hours; but at last they were defeated, with a very great slaughter. The Norwegians took York; but did not long enjoy their triumph. This battle was won by them on the eve of St. Matthew, and on the twenty fifth of September, Harold attacked them, in a strong post they had taken near Stamford bridge. One of their soldiers is said to have maintained for some time a narrow pass on the bridge, with a valour equal to that of Horatius Cocles, till he was slain by a javelin, thrown at a distance, from the hand of one of Harold's domestic attendants. But, whatever credit may be due to this story, which many historians relate, it is certain that the Norwegians shewed in this action a fierce and obstinate valour. Nevertheless, in the end, by a great superiority of numbers, the English

See Flor.
Wigorn. In-
gulpham et
Dunelm. feb
ann. 1066.
Malmib. de
gest. R. A.
f. ii. f. 52,
53.

V. Ord. Vit.
500. l. iii.
Gemittica.
l. vii. c. 34.

A. D. 1066.

V. Pictaven.
gest. Gul. D.
Norm. apud
Duchefne,
p. 197, 198,
199.

English prevailed. The king of Norway and Tosti were both killed in the battle, and almost their whole army was cut to pieces. Their fleet also was destroyed, all but twenty ships, which Harold permitted to return with Olaus, the son of the dead king.

The duke of Normandy, who had been detained, by calms or contrary winds, above a month after his fleet was ready to sail, did not know what had happened in the northern parts of England. But the wind at last turning fair, he sailed from St. Valery at the mouth of the Somme, on the eve of St. Michael, in the year one thousand and sixty six, and landed the next day at Pevensey in Sussex, without any resistance. Nothing could have happened more fortunate for him than the unexpected coincidence of the Norwegian war with his enterprize: for, by the diversion this occasioned, he escaped the danger of a sea fight, in which it is very probable he might have been overcome, and the other great difficulties that he must have encountered, if he had found the army of Harold upon the coast of Sussex, undiminished, and ready to oppose his landing.

There is, I believe, no other instance in history, that any kingdom, or commonwealth, was ever invaded by two such armies, under different princes, not acting in any concert the one with the other, within so short a period of time. What the event would have been if the Normans had landed a few days sooner, it is not easy to conjecture. Perhaps they might have agreed with the king of Norway to yield to him a part of the kingdom, and both these valiant nations might, in consequence of that league, have united their arms against Harold: but this monarch having entirely destroyed the Norwegians, before the descent of the Normans, he was enabled to oppose the latter with all the strength of his realm; and the fame of so great

great and glorious a victory was a mighty advantage; as it would naturally encrease the confidence his subjects had in him, and strike a terror into his enemies. Yet, in the issue, it became the cause of his ruin. For an ill timed parsimony, or the fear of offending his people by imposing upon them any taxes for the exigencies of his government, having made him withhold from his soldiers, of whom many were mercenaries, all the spoils he had taken, their discontent on that account soon afterwards occasioned a great desertion: and no small number had been killed or wounded in the battle. Yet such was his fatal presumption, that he would not wait for the militia of several counties which was marching to join him, but, having taken a few recruits in passing through London, hastened to fight with the Normans, before half of the forces, which he expected, arrived; as if his business had been, not to defend, but attack. I can imagine no reason, to account for this conduct, but an apprehension of giving the duke of Normandy time to intrigue with the English clergy, who might by the authority of a papal decree, be seduced from his party. But, whether this motive impelled him to act so precipitately, or whether victory had so elated his mind that his usual wisdom forsook him, it is certain, he appeared too rash and impatient, even to those whom he led against the duke. The conduct of that prince was more prudent. Though at his landing, he found no forces to oppose him, he would not advance any further; but employed fifteen days (which was the greatest part of the time before Harold came up) in raising forts at Pevensey and Hastings, to cover his ships and secure a possibility of retiring out of England, if he should be defeated. Having thus prepared for the worst he assumed an air of great confidence, ordering some spies, sent by Harold, and who were discovered in his camp, to be led all

V. Flor Wi-
gorn. Chron.
Saxon. et
Sim. Du-
nelm. sub
ann. 1066.
Malmsh. l.
ii. de gest. R.
Anglor. f. 53.

V. Pictaven.
gest. Gul.
Ducis, p.
199. Orde-
ric. Vit. l.
iii. p. 500.
Gemiticen.
l. vii. c. 31.

V. Malmsh.
f. 56.
Order. Vital.
p. 500.

over

over it, and dismissed. From the report of these men the king's army understood with how superior a force they were going to contend; and he himself, in their presence, instead of endeavouring to depreciate the valour of the Normans, spoke of it very highly; which gave occasion to Gurth, his younger brother, to advise him, not to risk his own person against such dangerous enemies, but leave them, who had taken no oath to the duke of Normandy, and might justly draw their swords in the defence of their country, to fight a battle, in which if they should be overcome, the consequences of the defeat would be less fatal, both to him and his people. He received this counsel, which seemed to accuse him of perjury, with scorn and indignation. Nor, indeed could he, without greatly disheartening his army and sully the glory of his past life, turn his back, at such a time, on the invaders of his kingdom. As he marched towards Hastings, he was met by a monk, who came to propose to him, on the part of the duke, to determine their cause, either by the judgment of Rome, or by duel, in the sight of both their armies. The answer returned by him was, that he was advancing to fight a battle, in which God would judge between him and his adversary. It is probable that William expected no other; the intent of this message having been only to shew, that he did not desire to make war against the English nation, but purely to decide a personal quarrel, which he had with their king. Nevertheless he fired some villages in the neighbourhood of his camp; which, by irritating Harold, had the effect he proposed, and helped to push on that valiant prince to his fate.

V. Pictav.
de gest. Gul.
Ducis, p. 200,
201.
Malmsh. f.
56.

The two armies were now encamped very near to each other, and prepared to fight the next morning, but in a very different manner. The English passed the night in drinking and revelling: the

V. Pictav.
de gest. Gul.
Ducis, p. 201,
202, 203,
204.
Orderic. Vit.
l. iii. p. 500,
501, 502.

the Normans in acts of devotion. At break of day; the duke himself heard mass in publick, and received the communion. While he was arming, it happened, that his breast-plate was put on turned upside down, which some about him considering is a bad omen, he changed it into a good one, by saying with a smile, " It signified only that the strength of his dukedom should on that day be converted into the strength of a kingdom." He then hung about his neck some relicks of saints, in which Harold had sworn to assist him; and lastly, he ordered a consecrated banner, which he had received from the pope, to be carried before his army. Having thus ably made use of all the help he could draw from religion or superstition to encourage his men, he advanced against Harold, who had performed all the offices of a skilful commander, in the disposition of his forces, and in the choice of his ground. Being greatly inferior in numbers, and not having a cavalry able to engage with that of the Normans, which made five parts in six of their army, he took post on a hill, and commanding all the horsemen he had to dismount, formed his whole army into one deep phalanx of heavy-armed foot. The royal standard of England was fixed upon the spot where Battel Abbey is built; and near to that stood the king, with Gurth and Leofrine, his two brothers. Towards the enemy the descent of the ground was steep: but the top was level, and wide enough to contain all his men in the close and compact order, into which he put them, with their shields so joined together, as not to leave any interval, nor opening, between them. Behind the phalanx were woods, through which they had marched to that post, and which defended their rear, extending themselves likewise so far upon the sides of the hill, as to prevent their being flanked. They were all armed with Danish battle axes, and had also javelins or darts: but they

Malmsh. f.
56, 57.

V. Autore
cit. ut supra.

they did not make use, in this fight, either of long or cross bows, both which weapons were employed, with great skill, by the Normans. The duke of Normandy began the attack by his archers, sustained by heavy-armed foot: but a shower of darts falling on them, and great stones, which the English had prepared for that purpose, being thrown down on their heads from high scaffolds of wood, as they ascended the hill, William saw it was necessary to bring up his cavalry, in which his principal strength consisted. Advancing therefore with these, divided into five bodies, he placed the infantry in his wings, and gained the brow of the hill, where the English phalanx was stationed. Both armies now fought hand to hand; the Normans and French with their swords, the English with their axes. After a long and sharp conflict, the Bretons and all the other auxiliary forces, both horse and foot, that were posted in the left wing of the enemy, fled. At the same instant, a rumour being spread through the line, that William was slain, the whole army of that prince fell into disorder: but, as soon as he understood from what cause it proceeded, he took off his helmet, and riding among them bare-headed, by his presence and words dispelled their fear. When they had recovered their ranks, he commanded them to surround some thousands of the English, whom the flight of his left wing, and the confusion they had seen in his whole line of battle, had tempted out to some distance from the body of their phalanx. These were all cut in pieces; and the duke, having rallied his auxiliary forces, led them back to assault the main body of the enemy, which remained on the hill, disposing his cavalry and heavy-armed foot as before, but commanding his archers, who were placed behind his wings, to shoot their arrows very high up into the air, that they might fall perpendicular upon the heads of the English.

As

As the files of these were so deep, and pressed together so closely, this annoyed them very much; and the Norman horse, pressing forwards, assaulted their front with great fury: yet such was the impenetrable firmness of the order in which they were drawn up, that all attempts to break them failed, till the duke, who observed the discouragement of his troops, had recourse to a stratagem, which what had happened before might naturally suggest. He instructed his men to feign a flight, and many of the English, believing it real, pursued them again to the plain; where they turned on a sudden, and, surrounding these disordered bands with their cavalry, killed them all to a man. We are told by an author, who was in the camp of the Normans, that the same artifice was repeated by the duke once more, and with equal success. If this be not a mistake, we must conclude from it, that Harold was very incautious, to be drawn into the same snare a second time, or rather a third, (for though the first flight of the enemy was not a feigned one, yet the pursuit had been equally fatal to the English); or, if the fault was not in him, but arose from an eagerness which he could not restrain, it proves that his discipline was much inferior to that of the duke. His remaining himself, the whole time, upon the summit of the hill, together with his two brothers, makes it most probable, that he was aware of the danger, and would have prevented his soldiers from being deceived by this feint, if it had been in his power. The loss he sustained by it was grievous. His forces, which the enemy had much out-numbered before, were now extremely diminished; yet the remainder of them kept their ranks unbroken, animated by the presence and example of their king, who fought on foot the whole day, and slew many of the Normans with his own hand. Nor did the duke of Normandy expose himself less to all danger, but had three horses killed under him,

in

Gul. Picav.
p. 202.
See also Ord.
Vit. p. 501.

in the course of the action. His soldiers, incited by the courage of their leader, fatigued the English with frequent, pertinacious attacks, and galled them with continual showers of arrows; all which they sustained with an invincible patience, fixed immovably to the spot whereon they were posted. Nor yet could the duke, with all the efforts he caused his troops to make, dissolve their phalanx; so that the victory remained undecided from nine in the morning even till the close of the day, when Harold was killed by the random flight of an arrow, which, not being shot, like the rest, up into the air, but in a lower and more oblique direction, pierced the ball of his eye, and penetrated from thence into his brain. The hearts of the English now sunk: they began immediately to give way in several places: the Norman cavalry, rushing in through the breaches of the phalanx, made a great slaughter of those who stood within it: the brothers of Harold both fell: the royal standard was taken. After these losses, the whole army, entirely routed and dissipated, fled into the woods that lay behind them: the Normans pursued them; but not even in their flight did they lose all their courage: for, having got into a valley, which was full of deep ditches, they bravely made a new stand. There had been formerly, in that place, a camp, well known to them, but not to the enemy: and the entrenchments being covered with shrubs and bushes, many of the Norman horse, pressing onwards, in the ardour of pursuit, fell headlong into them, while many others were killed by the hands of the English. If we may believe a contemporary writer, who heard it from some who were present, they lost in this valley near fifteen thousand men: but it is more probable that this number included the loss they had sustained in the battle. Some Norman barons of great note were slain in this action; and the earl of Bologne was dangerously wounded

wounded by a blow with a stone, while he was earnestly entreating the duke to retire, and not hazard his person against desperate men, whom the nature of the place so much assisted : but that intrepid prince, neither regarding the counsel, nor the alarming example of the person who gave it, continued the combat, till he had driven them out of this strong ground, and compleated his victory.

Thus ended the memorable battle of Hastings, in which the English, though defeated, shewed at least as much valour, as those by whom they were vanquished, but less expertness in the discipline and art of war. Yet their worst defect seems to have been the want of a cavalry equal to that of the Normans. It was their great inferiority in this respect which made their pursuit of a flying enemy fatal to themselves. Nevertheless, neither the loss, they had suffered in this action, nor even the death of their king, would have finished the war, if they could have agreed under whose standard they should endeavour to maintain it : for we are assured by a contemporary writer, that they had a fleet of seven hundred ships of war, actually cruising along the coast between Pevensey and Hastings, and masters of the sea, while the navy of the duke was shut up in those harbours. It was therefore very difficult for that prince to receive any reinforcements or supplies ; and his victory itself had considerably diminished his army. How many of his navy were ships of war we are not well informed, but from the care he took to defend it by fortifications, one may reasonably presume that the strength of it, at least at this time, when he could not spare any number of his land-forces to man it, was not sufficient to contend with that of the English. Winter was approaching ; the Normans had no magazines ; and consequently, had the war been protracted till that season, the means of procuring

V. Pictaven.
gest. Gul.
Ducis, apud
Duchefne, p.
201. sect. 2.

V. Malmsh.
de gest. Reg.
Angl. l. iii.
f. 53.

V. Malmsh.
de Wil. l.
l. iii. f. 57
& 59.

subsistence for themselves and their horses, in an enemy's country, could not easily have been found. As the greater part of Harold's army had been composed of stipendiary and mercenary soldiers, the main strength of the nation, the provincial militia, was still almost entire. But, to use that strength with effect, another leader was wanting, and one able to revive the spirits of the people. This might possibly have been done either by Edwin, or by Morcar. Those earls had not accompanied Harold to Hastings, having been left, by his orders, to bring to London the booty taken from the Norwegians. As soon as they heard of his death they aspired to the crown: but finding the nobility more inclined to elect Edgar Atheling, they were so disgusted, that they presently afterwards withdrew from London, and went into Northumberland; proposing to act, in that country, as future events should direct them. Indeed it is strange, that in such an emergency, one of these two potent noblemen should not have been chosen to supply the loss of Harold, rather than Edgar Atheling: every reason, which before had determined the nation to deny the crown to the latter, urging them now, still more forcibly, to give it to one of years and abilities equal to the weight of it, and who had courage to defend it in the most perilous circumstances. But neither of the brothers, nor any other of the English nobility, was so superior to the rest in the lustre of his family, in the strength of his alliances, or in the fame of his exploits, as Harold had been: and therefore the pride and emulation of others would not yield to the exaltation of any one of the greatest above his peers. This produced a disposition in favour of Edgar, who alone had any claim of hereditary right. And they could hardly have taken a better part, if, at the same time, they had appointed a proper *guardian* or *protector*, to assist him in the govern-

government during his nonage: for, in order to resist such an enemy, as then was triumphant in the midst of their country, a delegation at least of the royal authority to some person more mature in age and capacity was undoubtedly necessary: but it does not appear that this expedient, to which they had not been accustomed, was ever proposed. Most of the bishops now began to avow an inclination to receive the duke of Normandy, whose pretensions had been graced with the approbation of the pope; and the temporal lords, being disabled, by this unhappy dissension, from supporting the choice which they had hastily made, were doubtful and fluctuating in all their measures. Little time to deliberate was allowed them by the duke. Very soon after his victory over Harold, he besieged Dover castle, in order to facilitate a communication with France and Flanders, as well as to provide against any change of fortune, by leaving behind him no fortress which could obstruct his retreat. The place was crowded with soldiers; but such consternation had seized them, that they surrendered it to him without resistance: and, when he had taken it, he added to its fortifications such works, as he thought wanting. This detained him eight days, during which a dysentery, produced by an immoderate use of the meat and water there, destroyed many of his soldiers, and a greater number was left sick at his departure from thence, which he would not delay any longer, as he well knew the necessity of following closely the blow he had given, and attacking the capital before it had leisure to recover from its terror. Not far from Dover he was met by the principal inhabitants of the county of Kent, who swore fealty to him and gave him hostages. No obstacle therefore remaining, he pursued his march towards London, with the greatest expedition; but was seized on his way with a violent fit of sickness. His friends were

V. Malmsh
l. iii. f. 57.

V. Picaven.
gest. Gul.
G. Norm.
p. 204, 205.
Order. Vital.
sub ann.
1066.

much alarmed : yet fearing that his army might be ill supplied with provisions in the place where he sickened, and that any stop at this time would greatly hurt his affairs, infirm as he was he went on, till he came within a little distance from London. A vast number of soldiers had repaired to that city, after the battle of Hastings, from all parts of England, who, together with the citizens and the nobility assembled there, might have long defended it, and have given time to the rest of their countrymen to arm and recover their spirits : but such was the impression which the death of their king, and the discomfiture of his army, had made on their minds, that a very numerous body of them, which had sallied out from the suburbs, to attack an advanced party of five hundred Norman horse, was repulsed with great loss; and all the buildings on that side of the river were burnt. After this action, the duke, finding no enemy to oppose him, proceeded along the southern banks of the Thames as high as to Wallingford, and passing over it there turned eastwards, with an intention to march through Middlesex, and assault London on that side, which was not secured by the river. Stigand archbishop of Canterbury, being averse to the Normans, and excommunicated by the pope, had concurred with the nobility in their desire of placing Edgar Atheling on the throne, against the will of his brethren : but seeing no longer any hope of supporting that election, he went and renounced it, by submitting himself to William; which example was soon followed by all the temporal lords associated with him; and when the duke came in sight of London, the chief inhabitants of that city surrendered it to him, and gave him the hostages he required to secure their fidelity. Lastly, Edgar himself, finding in his mind no resources against the ill state of his fortune, delivered up to William his person and kingdom. Thus end-

V. Picaven.
gest. G. D.
ut supra.

V. Ord.
Vital. l. iii.
p. 503. sub
ano. 1066.

ended the government of the Saxons in England, two hundred and thirty seven years after the uniting of the heptarchy, and six hundred and seventeen after the landing of Hengist and Horsa, their first leaders or princes.

William received Edgar Atheling with the fairest appearances of regard and affection; and so far was he from grounding his own title to the crown upon a supposed *right of conquest*, that he used his utmost endeavours to establish the notion of his being *heir to King Edward, from the appointment of that monarch*. The English nobles and prelates who had reconciled themselves to him, and the chief citizens of London, adopting this notion, entreated him to be crowned without delay; which, at first, he seemed to decline, objecting, that peace was not yet settled, and declaring, *that he desired the tranquillity of the kingdom more than the crown*: words very different from the language of a *conqueror*, and proper to allay the fears of those, who dreaded the violence of a military government. But considering afterwards, that, in consequence of his being crowned king, all persons would be more afraid of rebelling against him, and more easily crushed, if they did, he yielded to the importunities of the English and Normans, and was crowned in Westminster-abbey on Christmas-day of the year one thousand and sixty six, not without the appearance and form of an election, or free acknowledgment of his claim: for the archbishop of York and the bishop of Coutance, who officiated in the ceremony, separately demanded of the nobility, prelates, and people of both nations, who were present and assisting, *whether they consented that he should reign over them?* and, with joyful acclamations, they answered, that *they did*. Before he ascended the throne he made a compact with his new subjects, by his coronation oath, the same with that of the Saxon kings. Nor did he imme-

Vid. Picav.
gest. Gul.
Ducis, p.
205.

A. D. 1066.

Vid. Picav.
gest. Gul.
Ducis, p.
205, 206.
Orderic.
Vit. l. iii.
p. 503.

V. Picav.
et Orderic.
Vital. sub
ann. 1067.
Libr. Elien.
Bibl. Cotton.
Claudius, 2,
3. Flor.
Wigor.
p. 635.

diately violate this solemn engagement : but dispensed to all impartial justice, and even conferred great favours on the English, till some, who had not yet submitted to his government, particularly Edwin and Morcar, whose power he feared the most, voluntarily came in and paid him obedience. He also encouraged intermarriages between the Normans and English ; and seemed to wish to make them one people. So that, although he had really no right to the crown when first he claimed it, he may be said to have acquired one, after the death of Harold, from the consent of the nation, given chearfully, and with marks of mutual kindness and affection between him and his subjects. Indeed he soon afterwards confiscated the estates of all the English who had fought against him at Hastings, and gave them to the Normans or other foreigners in his service ; an act of injustice, but coloured with the specious pretence of a legal proceeding ; Harold's election being called *usurpation*, and his adherents accounted *rebels* to William *their sovereign* : which opinion, however groundless, was then wisely taken up and admitted by the nation, that England might appear to be governed by this prince under the fair and peaceful title of a lawful succession, and not under one so destructive to all liberty as that of *conquest*. Nor were the forfeitures due to him for this supposed treason, or any other penalties incurred by the guilt of it in the sense of the law, extended any further, at the beginning of his reign, than to those who had actually opposed him in arms. This was all the indulgence he could shew to the English, without passing a general act of grace and oblivion ; from which he was hindered by the promise he had made to all the chiefs of his army, that he would, if victorious, reward their services in this war, with lands and honours in England. These confiscations enabled him to perform that promise in part : but many
more

more were still wanting to satisfy the demands of such a number of foreigners, as, not being willing to rely upon the English, he thought it necessary to retain in the kingdom, for the support of his power. That want was supplied by several insurrections, and conspiracies against his government, to which the nobility of England were afterwards driven by the iniquity of his ministers, whose guilt he took on himself by paying no regard to the just complaints of his subjects.

See Hen. of Huntingdon in fine Gul. J. Orderic. Vit. l. iv. sub ann. 1067. et l. vii. p. 659.

The spirit of the English was yet unconquered. Though they had submitted to the government of a foreigner, they would not endure the yoke of a tyrant. But their attempts to recover their liberty were tumultuary, and void of counsel or union, ill concerted, ill timed, and weakly managed. The king, on the contrary, was vigilant, prudent, well served by his officers, yet continually attending to his business himself, indefatigable in labour, serene in danger, and as formidable by his policy as by his arms. There is no method to render a tyranny secure and strong which he did not put in practice, establishing garrisons of foreign troops in all parts of the country, bridling the towns with forts and castles, gaining to his side the bravest of his enemies by pardons and favours, if they would submit to his despotism; and destroying the rest, without mercy; sometimes employing the most generous clemency, sometimes the most terrible and barbarous cruelty, as he thought they would best conduce to serve his ends.

V. Ord. Vit. sub ann. 1067, 1068, 1069.

In the second year of this reign Edgar Atheling was persuaded to fly into Scotland, where he was received with cordial friendship by Malcolm Canmore, who soon afterwards married the lady Margaret, his sister, and, in concert with the English, endeavoured to place him on the throne of his ancestors. He was also aided by troops, which his party obtained for him from Sueno the Second,

See Malmsh. l. iii. de W. l. f. 58. Florent. Wigorn. sub ann. 3068 et 1073. S. Dunelm. sub ann. 1070 et 1073.

king of Denmark. But this confederacy served only to encrease the calamities of the miserable English, who exasperated a tyranny they could not subdue: all their efforts were baffled; and Malcolm, being afraid that he might lose his own kingdom, was forced to sue for a peace and do homage to William. Edgar, who was of a temper which felt more uneasiness in contending with adversity than submitting to a meanness, entered again into a treaty with that monarch, or (as some authors say) yielded himself up without conditions: but it is more probable that he had at least an assurance of a pardon. William received him with kindness, thinking him rather an object of pity and contempt, than of vengeance or fear. But he did not act in the same manner with Edwin and Morcar. To the former of these earls he had promised to give one of his daughters in marriage, when first the two brothers capitulated with them. Yet though, by performing that promise, he would have endeared himself greatly to the English, and promoted an union between them and the Normans, which ought to have been the principal object of his policy, he broke his word. Provoked at this, and at the wrongs and complaints of their countrymen, they made some motions towards a revolt, in the year one thousand and sixty eight: but it seems that they acted too hastily: for the foreign succours, they expected, not being ready to join them, and William advancing upon them, they laid down their arms; in consequence of which he was seemingly reconciled to them, and they were continued in their earldoms. He knew better when to pardon than they did when to rebel. The next year there was a great insurrection of the English, strengthened by the assistance of Scotland and Denmark. Gratitude to the king for his late clemency to them prevented Edwin and Morcar from taking any part in this revolt; which if they had done,

V. Ord. Vit.
l. iv. sub ann.
1068 et
1070.

done, it might have turned the scale against him. Such a conduct, they flattered themselves, would gain his affection: but it is hard to remove the jealousy of a tyrant; and they who are the objects of it can never be safe, unless by dethroning him, or leaving his kingdom. Morcar, finding himself suspected, and fearing imprisonment, retired for safety to the isle of Ely, which the king having besieged, he surrendered himself to him, upon assurances of good treatment from some who were commissioned to negotiate with him: but in breach of that promise he was thrown into prison. His brother Edwin, having in vain implored the aid of the Welch and the Scotch, as well as of the now-dispirited English, and no longer hoping to continue with safety in England, endeavoured to escape into Scotland, but was killed in his flight by the perfidious hands of three of his most intimate and trusted friends. His character was so amiable, that the Normans themselves bewailed his death; and when the traitors who murdered him, expecting a great reward, brought his head to the king, he wept, as Cæsar did over Pompey's, and instantly banished them from his realm. Morcar remained in strict custody, till a death-bed repentance, taking off the gloss which policy had thrown upon injustice and perfidy, induced the king to set him free. But as soon as that monarch was dead, and William Rufus returned to England, the latter thought it expedient to deprive him again of his liberty, for fear the English should incline to make him their sovereign; and it does not appear that he was ever released from that confinement.

The Englishman, whom William the First most confided in and favoured, was Waltheoff, eldest son to Siward earl of Northumberland, famous for his victory over the tyrant of Scotland, Macbeth.

This nobleman had performed such extraordinary actions of valour, in defending the castle of York, Malmsh. de W. L. i. ii. f. 58, 59. besieged

besieged by the Normans, that the king's anger against the rebel was changed into esteem and affection for the soldier; insomuch that, being desirous to attach him to his service, he not only pardoned him, but gave him in marriage the lady Judith, his niece, and with her the two earldoms of Huntingdon and Northampton, besides that of Northumberland, which his father had enjoyed. Yet after having received all these favours, the highest that a prince could confer on a subject, he was involved in a conspiracy with Radulph de Guader, earl of Norfolk and Suffolk, and Roger earl of Hereford, who, upon some discontent against the king, of which we have not a clear account, plotted together to dethrone him, in the ninth year of his reign, while he was detained out of England by his foreign affairs. According to most of our historians, Waltheoff was drawn in, to consent to this rebellion, when he was heated with wine, in the riot of a feast, which the earl of Hereford made on the marriage of his sister with Radulph de Guader. But they would hardly have ventured to open themselves, with so unguarded a freedom, to one whom the strongest obligations of alliance and gratitude bound so fast to the king, if they had not before been well assured of his disposition to join them: which makes me believe what is affirmed by Henry of Huntingdon, that the counsels of Waltheoff induced the earl of Norfolk to this rash undertaking. From what motives he gave those counsels it is hard to conceive; unless a passionate desire of freeing his country from the tyranny it groaned under overcame in his mind the sense of all other duties, how sacred soever, and even all restraints of prudence. But that heroic enthusiasm, if he was possessed with it, lost its power over his mind before the conspiracy was ripe for execution. Whether he feared that some of the company, in whose presence it had been too indiscreetly divulged,

See Flor.
Wigorn. S.
Dunelm. et
Hoveden.
sub ann.
1074, 1075.
et Malmsb.
ut supra.

See H. Hun-
tingd. l. vii.
f. 211. Wil.
Reg. ann. 9.

Vid. Autho-
res citatos ut
supra, et
Chr. n. Sax.
sub ann.
1075.
Ord. Vit.
l. iv. sub
ann. 1073.

ed, should betray it to William, or whether he was really struck with remorse, he went and discovered it to Lanfranc archbishop of Canterbury, who exhorted him to go immediately to the king and impeach the conspirators. He did so, but concealed from him his own consent to the treason. In the mean while, his confederates, finding themselves detected, took up arms in their counties: but this hasty rising was subdued, without any difficulty, by the king's ministers, in his absence. When that prince returned into England, he received information of the share that earl Waltheoff had in the conspiracy, whereupon he ordered him to be arrested. Radulph de Guader had escaped, by flying out of the kingdom: but the earl of Hereford was condemned to perpetual imprisonment; the memory of his father, William's favourite servant, saving him from a worse punishment, which the other conspirators suffered by sentence of law. The king seemed disposed even to grant him his liberty after a short confinement, and, as a mark of his kindness, sent him a rich present of garments from his own wardrobe: but he threw them into the fire: upon which the angry monarch swore that he would never release him, and kept his oath. Waltheoff was beheaded, notwithstanding the merit of the discovery he had made. Some authors tell us, that his wife, being grown weary of him, was the cause of his death, by giving an evidence to her uncle which aggravated his fault. The treason he had committed was alledged as an argument for excluding all his countrymen from any offices of power or trust: though the earl of Hereford's perfidy would have been as good a reason for excluding all Normans. Earl Coxo, an Englishman, had been so faithful to William, that he was murdered by the hands of some of his own vassals, because he would not join with them in taking up arms against the government; and in the third year of that

V. Malmsh.
ut supra.

Idem, l. iii.
de W. 1.
f. 58. 59.

that king, when the sons of Harold, with forces from Denmark and Ireland, had landed in England, they were vigorously opposed by an army of English, under the conduct of Ednoth, who had been master of the horse to their father, and who lost his life in the action. William was also served very faithfully by that people, in some foreign wars, which I shall say more of hereafter. It must however be confessed, that Waltheoff's ingratitude might naturally suggest to that prince more caution and diffidence, with respect to their nobility; tho' it cannot justify his withdrawing from them all favour and trust in the government of their country.

Ord. Vit.
l. iv. sub
ann. 1067.

Eustace earl of Boulogne, who had fought under his orders at the battle of Hastings, quarrelled with him soon afterwards, and attempted to surprize Dover castle, in concert with the English of the county of Kent, who, having been the first to submit to his government, were also the first to resist his tyranny. But the enterprize failed, and he was easily reconciled to the earl of Bologne, whose enmity might have proved troublesome, and dangerous to him, had it continued: that town being very commodiously situated to assist insurrections in Kent and other counties adjacent to London, while his arms were employed, as they often were, in the north. And if, by the encouragement of such a foreign aid, the capital had revolted, he would have found it difficult to prevent a general defection of the whole nation. Sensible of this he governed that city with a gentle hand, endeavoured to gain the affections of the citizens, and granted a charter confirming to them the benefit of their ancient immunities, customs and laws, with a promise of his royal protection; which had so good an effect, that they never would engage in any rebellion or treason against him, but by their fidelity contributed greatly to the maintenance of his government.

The

The enemy of whose power he seemed to be most afraid, and who indeed, if he had executed the schemes he had formed, might have shaken his throne, was Canute the Fourth, king of Denmark. This prince, having succeeded to Harold his brother in the year one thousand and eighty, and being of a warm and enterprizing spirit, resolved to attempt the recovery of the kingdom of England, which he claimed by right of inheritance from Canute the Great. During the whole reign of Edward the Confessor, Denmark had been so agitated with intestine dissensions, that its sovereigns had no leisure to think of this island. It has been mentioned before, that, upon the first alarm of the Norman invasion, Sueno the Second assisted Harold with a body of troops ; which shews that he had then no design of pursuing the claim of his predecessors : and though, when the English took up arms against William, he sent a great force to join the malecontents, it does not appear that he had any other purpose, than to revenge the death of Harold, his relation and friend ; for all his confederates, both English and Scotch, intended to set the crown of England on the head of Edgar Atheling : but, whatever his purpose might be, he was very ill served by the generals he employed in this expedition, and also in another, posterior to this ; both enterprizes being defeated, not by the steel, but the gold of William, who corrupted the leaders. Canute, the Son of Sueno, had served therein as a volunteer, though he was then too young for the chief command. As he knew that the English were exceedingly discontented, and could no longer retain their attachment to Edgar Atheling, who had so meanly given up his pretensions, he flattered himself, and perhaps was assured by a secret intelligence with many among them, that they would submit to his government, if, being now king of Denmark, he would assist them to shake

See Malmsh.
de W. I.
l. iii. f. 59,
60.
See also Pon-
tan. Hist.
Dan.

See Lambert,
Scheffnab de
Rebas Ger-
manic.
Malmsh.
f. 59. l. iii.

shake off the tyranny of the Normans. He was also stimulated to this attempt by Robert earl of Flanders, surnamed Le Frison, whose daughter he had married, and who, though brother-in-law to William, desired his destruction. The cause of so bitter enmity between them was this. Robert was the second son of Baldwin the Fifth, and during his father's life had acquired the government of the earldom of Friesland, which then comprehended the provinces of Holland and Zealand, by marrying the widow of the last earl: but the elder son, who had succeeded to Baldwin in Flanders, and was the sixth earl of that name, made war upon Robert, either out of ambition to annex those contiguous dominions to his own, or instigated by a personal rancour against him: in which unnatural quarrel being defeated and slain, he left two minor sons, whom he had by his will recommended to the care of Philip, king of France, his cousin-german, and of William Fitz-osborn, earl of Hereford. This nobleman was of a family allied to the dukes of Normandy, and of a spirit as courageous as that of his master, having been the first of his counselors who advised him to make his attempt upon England, and the man to whose assistance he was chiefly obliged for his success in that enterprize. These services were rewarded with the earldom of Hereford, the isle of Wight, and the first place in the administration of England and Normandy: but he now entertained still higher views of ambition, proposing to marry the widow of Baldwin the Sixth, who was, in her own right, countess of Hainault. Fired with that hope he most willingly undertook the defence of her son, the young earl of Flanders, against his uncle, who, being assisted by a league with the emperor, and by a considerable faction of the Flemings themselves, had invaded that earldom. But exposing himself too incautiously he fell into an ambush, and, after having fought very

Ma'msh. de
W. I. l. iii.
f. 59.
Flor. Wi-
gorn. sub
ann. 1071.
Orderic. Vit.
l. iv. p. 526.

very bravely, was killed in the action, together with the prince he came to aid. His death was a most sensible grief to his master, who loved him from the sympathy that there was in their minds, being too great himself to take umbrage at the greatness of a servant, in whom he had always found gratitude, fidelity and obedience : but the English were glad ; for of them he had been a very cruel oppressor, acting in his office of Justiciary of England, especially when the king was out of the realm, more like a general giving laws to the conquered, than a chief magistrate administering justice to his fellow subjects. They now had the consolation to see this great instrument of tyrannical power cut off at once in all the pride of his fortune ; which soothed their resentments, and looked as if divine vengeance had done them that justice they could not obtain for themselves. The king of France, who had concurred with the desires of the countess of Hainault in calling Fitz-osborn to assist the earl of Flanders, his ward, upon their being thus slain together, was persuaded by Robert, an artful man, to marry his daughter-in-law Bertha, and confirm him in the possession of the earldom of Flanders. The countess, who saw her surviving son made a sacrifice to this agreement, implored the protection of William ; whose magnanimity, which in this instance he seems to have chiefly consulted, induced him to espouse the cause of his nephew. Robert, out of revenge, and to secure himself thoroughly against that king, instigated his son-in-law, Canute, to attack him in England, offering to support the attempt with the whole strength of his powerful earldoms. Nothing could be more agreeable to Canute's ambition than such a proposal. Measures being accordingly concerted between them, the Danish monarch provided a fleet of above a thousand ships, to which his confederate was able to join six hundred more. It does not appear what number

Ord. Vit.
l. iv. p. 507,
508, 536.
Huntin. in
fine Gul. I.

A. D. 1083.

Malm. de
W. I. l. iii.
f. 60.

logulph. p.
79.

See Elloth.
de Vita Can.
A. D. 1086.
Torfeum
Cranthum.
Pontanum.
Hist. Dan.

See Malmsh.
l. iii. de gest.
R. A. f. 60.

number of troops they intended to embark, nor how many of their vessels were ships of war : but William was so alarmed at their enterprize, that, in addition to the military force of his kingdom, he hired foreign mercenaries from all parts of Europe, as far as even Spain, and brought a vast army of them over into England, to defend him against this formidable, intended invasion. He had indeed sufficient reason to expect the revolt of many of his subjects, especially those of Danish race ; nor could he be certain that they would not be assisted by the Welch and the Scotch. But he was delivered from the danger he so much apprehended, by civil disturbances arising in Denmark, which in the following year, one thousand and eighty six, occasioned the murder of Canute, who fell a victim to the desire he had shewn, with more zeal than discretion, of forcing his people to the payment of tythes, and was on that account reputed a martyr, supposed to work miracles, and sainted by Rome. William of Malmshury says, that he had imposed heavy fines on some of his nobles, because he suspected their wives of having by witchcraft raised contrary winds, to prevent his fleet from sailing to England, and sent his brother Olaus a prisoner to Flanders upon the same charge. The superstition of the country and the character of the man render this very credible : and the inscription found on his tomb at Odensee, in the year fifteen hundred and eighty two, ascribes his murder to *his zeal for the Christian religion and love of justice* ; by which, undoubtedly, his dispute with his subjects upon the business of tythes, and vehement pursuit of that point against their opposition, must be understood to be meant ; with, perhaps, some allusion also to these prosecutions.

Among the many grievances complained of in the reign of William the First, none gave more uneasiness than the inhuman severity of his forest laws.

laws. It was some excuse for other hard and unpopular acts, that they appeared to be necessary for the support of his government, or had at least a political expediency in them ; but by this he disgusted the English and even the Norman gentry, besides oppressing the people, and impoverishing the country, without any benefit to himself. He ought to have known that men are often more irritated by an ungracious restraint on their pleasures, especially those which custom has rendered almost necessary to them, than by greater oppressions in more weighty matters ; and that the most politick princes have been particularly desirous of employing their people in sports and amusements, with a view to take off their thoughts from prying too closely into the government, or gloomily brooding over their own discontents. This was a caution very proper in his situation, and his having paid no regard to it seems to have been a considerable error in judgment : or rather it is a proof that his passion for hunting, which was his favourite pleasure, over-powered his reason. Nor was he satisfied with having thus confined to himself the vast tracts of forest that he found in this kingdom ; but, to make a new one in Hampshire, laid waste a country of above thirty miles in extent, drove out all the inhabitants, and destroyed all their dwellings, not sparing even the churches, as much as he affected a respect for religion : one of the most horrible acts of wanton cruelty recorded in history, if it was done for his pleasure only ; and there is no warrant in any ancient author for the conjecture of some modern writers, that he did it to facilitate the landing of forces which he might have occasion to bring over from Normandy, by thus disabling the English from collecting together or maintaining any forces upon that coast. But even admitting this to have been his motive, and not (as I rather believe) that the new forest lay convenient for his

See Malmsh.
l. iii. f. 62.
Flor. Wigorn. sub
ann. 1100.

See Polydore Virgil,
and Selden.

See Ord. Vit.
l. iv. p. 514,
515.
See also
Hoveden, f.
258, 259.
sub ann.
1069. et In-
gulph, p. 79.

See Malmfb.
l. iii. de W.
l. f. 58.

palace at Winchester, it was the policy of a barbarous tyrant, not of a wise or good king. Great part of Yorkshire, and all the counties belonging to England, north of the Humber, he also laid waste; that the Danes or the Scotch invading those parts of his kingdom might find no subsistence; and to punish the people for their disaffection to his government, without regarding what numbers of innocent persons would be involved in that destruction. We are told, even by one of the Norman historians, who speaks of it with horror, that above a hundred thousand men, women, and children, perished by famine in these ruined counties. The desolation was such, that for above sixty miles, where, before, there had been many large and flourishing towns, besides a great number of villages and fine country seats, not a single hamlet was to be seen! the whole land was uncultivated, and remained in that state even till the reign of king Henry the Second! so that Attila himself did not more justly deserve to be named *the Scourge of God* than this merciless Norman. Indeed neither that Hun, nor any other destroyer of nations, ever made worse devastations in an enemy's country, than he did in his own.

It is a remarkable thing, that none of the Normans, except a few who conspired with Roger earl of Hereford and Radulph de Guader, should have expressed the least discontent against the arbitrary proceedings of this haughty prince, which in several instances were no less inconsistent with their own native rights and liberties, than with those of the English. Certainly they were a people unaccustomed to despotism, and not of a temper inclined to submit to it: but several reasons may be given to account for that patience. Under a government not fully settled, and maintaining itself more by the sword than the laws, necessity of state seems to require and to justify extraordinary acts of power,

power, and to take off those restraints from the royal authority, which calmer seasons admit. The Normans knew this, and they also knew that the English, the Scotch, and the Danes, were ready to avail themselves of any dissension between them and their sovereign. They had likewise particular motives of interest, which bent their minds to more complaisance than would otherwise have been natural to them, and softened the stubbornness of the spirit of liberty. For, as the lands that were taken from the English were given by the king to the foreigners in his service, not all at once, but at many different times, as the forfeitures were incurred, and in such proportions to each as he pleased, the desire of profiting more and more by his favour kept them under the yoke of a continued dependance. And to these checks upon them was added that awful respect for his person which his illustrious actions and fortune inspired. The Macedonians themselves grew servile to Alexander upon the throne of Darius. Thus the Normans revered in the conqueror of Harold, and the monarch of England, that glory and greatness, which their own arms had enabled him to acquire. He appeared so fit to command, that they would not dispute how far they were bound to obey. But though they acquiesced under a present excess of the royal prerogative, they took effectual care that their rights should obtain a legal establishment. A distinction is to be made between the *government* of William the First, which was very tyrannical, and the *constitution* established under him in this kingdom, which was no absolute monarchy, but an ingraftment of the feudal tenures and other customs of Normandy upon the old Saxon laws of Edward the Confessor. He more than once swore to maintain those laws, and in the fourth year of his reign confirmed them in parliament; yet not without great alterations, to which the whole le-

See Wilkin-
si Leg. Gul.
Conquest.
63. et Ger-
vase Tilbur.
Dial. de
Scaccario c.
xvi.
See Matt.
Paris in Vit.
Frether. Cæ-
nobitz.
Ingulph. in
sine Hist.

Chron.
Litchfield.
Selden's
notes to
Eadmerus,
p. 171.
Saxon.
Chron. sub
ann. 1085.

Leg. G. I.
55.
V. Append.

See N. Ba-
con Civ. and
Polit. Dis-
courses, c.
xlvii.

gislature agreed, by a more complete introduction of the strict feudal law, as it was practised in Normandy ; which produced a different political system, and changed both power and property in many respects ; though the first principles of that law, and general notions of it, had been in use among the English some ages before. But that the liberty of the subject was not so destroyed by these alterations, as some writers have supposed, plainly appears by the very statutes that William enacted, in one of which we find an express declaration, " That all the freemen in his kingdom should hold and enjoy their lands and possessions free from all unjust exaction and from all tallage ; so that nothing should be exacted or taken of them but their free service, which they by right owed to the crown and were bound to perform." It is further said, " That this was ordained and granted to them as an hereditary right for ever, *by the common council of the kingdom :*" which very remarkable statute is justly styled by a learned author, Nathanael Bacon, *the first Magna Charta of the Normans*. And it extended no less to the *English* than to the *Normans*. But it was ill observed by William, who frequently acted as if his will had been the only law to both nations. It must be also allowed, that by the interposition of many *Mesne Lords* between the crown and the people, and by many offices of judicature and military command being rendered hereditary, which under the Saxons had been either elective, or granted for a short term, the constitution became more aristocratical than before, more unequally balanced, and in some respects more oppressive to the inferior orders of freemen. Nor was the condition of the nobles themselves to be envied. For there were certain burthens annexed to this system of fiefs, which, as they naturally grew out of that policy, were imposed on the highest vassals as well

as on the lowest, and were more grievous than any that the Saxons had borne under their constitution. Of what nature these were, and under what regulations they were afterwards laid, to prevent the abuse of them, I shall have occasions to shew more fully, during the course of this work.

The lands of the bishops and greater abbots, which had been held before in *Frankalmoigne*, or free alms, were, by the authority of the whole legislature, in the reign of this prince, declared to be *baronies*, and bound to the same obligations of homage and military service, as the civil tenures of the like nature, agreeably to the practice in Normandy and in France. Such a resolute opposition was made to this act by some of the English abbots, that they were driven out of the realm by the king on that account. And indeed, if he had exempted these lands from the policy, to which he subjected other baronial possessions, it would have exceedingly diminished the strength of his kingdom. But there was another alteration, which though it was made with the concurrence of parliament, essentially hurt the commonwealth: I mean the separating of the civil and ecclesiastical jurisdictions, which the Saxon bishops and earls had exercised jointly in the county courts, by giving the bishops a court of their own, for the sole trial of spiritual matters by the episcopal laws. Though this was done under a specious pretence of reformation, and for the avoiding of confusion, it proved in its consequences a great cause of the corruption of the clergy, and of the advancement of their power beyond its due bounds: for, besides the partiality with which they proceeded, on being thus left to themselves, they soon extended their judicature much further than the legislature designed, including many causes, that in their own nature were purely civil, under the notion of spiritual

See Mat. Paris sub ann. 1070. p. 5.

See also Selden's notes to Eadm.

Vid. Chartam Gul. I. Concil. M. Brit. t. i. p. 368. 396.

REVOLUTIONS of ENGLAND

tual matters, or (as the statute terms it) *cases belonging to the government of souls*.

The king had indeed reformed the episcopal laws, with the advice of his parliament, as the same statute declares ; and by those laws so reformed the spiritual court was to judge : but the pope, not the king, was really sovereign there ; and in process of time it came to pass, that whatever canons he authorised, the bishops received, and proceeded upon them, in this their new jurisdiction : which could never have happened, if they had continued as formerly in the lay courts. The only remedy against these abuses was the right of prohibitions and appeals to the crown : but that also was soon disputed by the clergy. In all probability, the spiritual court had been before established in Normandy ; and this was a sufficient motive to the king for introducing it into England : it being his constant endeavour, partly from policy and partly from prejudice, to bring the whole constitution to as near a conformity as he could with the Norman.

Nor was this the only instance, in which his proceedings, with relation to the government of the church in this kingdom, deserve to be censured. After he had depressed and almost destroyed the English nobility, he thought his despotism would not be complete, while the archbishop of Canterbury and other English bishops remained in their sees : to deprive them of which, and fill up the vacancies with foreigners devoted to his own will, he had recourse to the pope ; and invited over three legates, to be the ministers of this alteration : for, without the colour and aid of the papal power, he durst not so offend the clergy of England. Alexander the Second was very glad to take this occasion of bringing that church into a state of subjection to Rome, from which it had hitherto preserved itself free beyond mere compliments and forms

See Eadm.
hist. nov.
p. 29.

Ingulph Du-
nelm. enf.
Ord. Vital.
Brompt. et
Hoveden sub
ann. 1070.

forms of respect. The legates therefore had orders to serve him according to his wishes; and, none disputing what he agreed to, they were permitted to exercise such an authority and jurisdiction in England, as never had been granted to any before. In return, they performed their commission so entirely to his satisfaction, that, upon various pretences, with more regard to his interests and those of Rome, than to justice and law, they deposed Stigand archbishop of Canterbury, and all the other English bishops, of whom he was jealous; leaving hardly any but Normans and foreigners, lately promoted by himself, or who had been advanced by the Norman faction in King Edward's reign. Several English abbots were also deprived of their abbeys, in the same manner, and for the same end.

Thus did a confederacy of two usurping powers oppress the rights of the English church, which, no less for the sake of the crown than of the clergy, William would have strongly maintained, if he had not been seduced by the present subservency of the papal authority to his own particular views and interests. For he knew how to resist it upon other occasions. Notwithstanding the violence with which Gregory the Seventh opposed investitures given by princes to bishops and abbots, he supported the ancient rights of his crown in that point, and all other prerogatives in ecclesiastical matters, which his predecessors in Normandy had enjoyed, with an inflexible firmness; though he had to do with a pope, who boldly asserted, *That all civil power ought to be subject to ecclesiastical, and upon the strength of that doctrine, had formed a design of bringing all the crowned heads in the Christian world under subjection to him, and obliging them to hold their kingdoms as fiefs of the holy see, and to govern them at his discretion.* These are the words of the learned Dupin in his ecclesiastical history,

See Eadm. Prefat. p. 2. Selden's not. ad Eadm. Eadm. hist. nov. p. 6. Seld. not. ibidem.

See Epist. Greg. vii. epist. xxv. l. 9. 3. 12.

See Dupin's ecclef. hist. p. 48. et Greg. epist.

i. i. epist. vii.
 ii. epist.
 lxxiii. lxxiv.
 lxxv. l. 8.
 epist. xxiii.
 See also Dupin eccl. hist. cent. xi. p. 37. 50.
 See Lanfranc epist. ii. vii. Seld. not. ad Eadm. p. 164.

See Greg. epist. l. ix. epist. v.
 See Baron. Ann. a. 1079.
 Eadmr. p. 6.
 Lanfranc epist. l. vi. epist. xxx.

tory, and the truth of what they assert is clearly proved by the letters of Gregory himself. Among other pretensions of this kind he laid claim to England, *as the Patrimony of St. Peter*, and by Hubert his legate, required William to hold it of him, as supreme lord, and take an oath of fealty to him for it. The answer of that king was peremptory and short, "That he never had promised to take any such oath, and that he could not find it had ever been taken by any of his predecessors, nor should it by him." He had indeed, before he engaged in his enterprize against England, applied to the pope, as the best judge in political casuistry, to get a confirmation of his claim to the crown, according to a practice much used in those days upon disputes of that nature; which Gregory the Seventh would have willingly construed, as well as the payment of Peter-pence, an eleemosynary gift, into an evidence of subjection to Rome: but he met with a spirit too high, and an understanding too strong, to admit such conclusions. Nor did he only drop that absurd pretension; but found it necessary to treat this prince with regards, which he did not vouchsafe to any other in Europe. So far was William from considering himself as his vassal, that he would not allow the bishops of England to go to Rome on his summons, or any papal letters or bulls to be received in that kingdom, unless approved by himself. And, though he affected to pay an outward respect to his clergy, he was always their master, and often their tyrant. The English bishops had been generally too haughty and troublesome to their kings. The Norman monarch, very desirous to humble their pride, without being called an enemy to the church, subjected them more to the power of the pope, but in a great measure controuled that power by his own. Yet the concessions he made to it proved in their consequences

sequences hurtful to his successors: for the alliance between the crown and the papacy was soon dissolved by their different interests; but between the papacy and the clergy a more strict one was formed, which lasted much longer, and at length became too strong for the crown to restrain.

It must be observed to the honour of this king, that in the disposal of benefices and dignities in the church he chose men of good characters, and was perfectly clear from all suspicion of simony, notwithstanding his avarice upon other occasions; knowing of what importance it is to the state that religion should not be disgraced by its ministers. From the same principle he likewise reformed the monastical discipline, which had been much relaxed in England. The scandalous ignorance of the whole Saxon clergy gave him a good pretence to bring over foreigners of learning and parts, whom he placed in almost all the episcopal sees, and also at the head of many abbeys and convents; which not a little contributed to strengthen his government. But unfortunately these men, with the erudition of Italy, where most of them were bred, had acquired the principles of the Italian theology; and acting in this kingdom as if they had been missionaries sent over from Rome, bent all their studies, and employed all their knowledge, to defend and promote the doctrines and the interests of that see: so that, while, by their influence over the minds of the people, the king endeavoured to secure his own power, he served that of the pope much more than he desired or intended to do, and laid the foundations of most of the disputes between the church and the crown, with which his posterity was disturbed for several ages.

See Ord. Vit.
l. iv. p. 516.

As he had undoubtedly a great reach of thought, he would have taken more care to prevent these future evils, if he had not been almost perpetually engaged,

engaged, either in domestic, or foreign wars, which called off his attention from more distant objects to what concerned his present safety. It has been often the fate of ambitious princes, to be very uneasy in their own families, while they were fortunate and triumphant abroad; their example having infected the minds of their children, and communicated to them a turbulent spirit, that would not be confined within the limits of obedience. This vexation happened to William the Conqueror. His eldest son, Robert, was not restrained by the checks of nature or duty from endeavouring to deprive him of his dutchy of Normandy by force of arms. That prince's pretensions were grounded on a promise William had made, while he was soliciting aid from the court of France for the war he designed against England, that, if he should succeed in that attempt, he would resign to his eldest son his Norman dominions; which probably was thrown out, only to quiet the jealousy the French had conceived of his becoming too potent a vassal. But, whatever might be the motive of it, he did not perform it; nor indeed could he with safety: for, in the manner he thought fit to govern the English, even to the end of his reign, his being master of Normandy was necessary to secure to him the possession of England. Robert waited some time without complaining: but the instigations of France, working upon an unquiet temper of mind and a weak understanding, drew him at length into an open rebellion, to force his royal father to make good a promise, which it was indecent for a son even to put him in mind of: and he was supported in his pretensions, not only by the French king, but by many of the Normans.

Nothing can excuse such an enormous violation of filial duty. The war would have ended in a parricide, if Robert, who in an engagement had actually

Flor. Wi-
gorn sub
ann. 1077.
Hoveden,
p. 1. f. 262.
Ord. Vit. l. v.
p. 569, 570.

actually unhorsed and wounded his father, had not known him by his voice in that very instant : upon which he dismounted, gave his own horse to the king, and fell upon his knees, to beg forgiveness ; but instead of that he received a malediction. The horror of this accident made such an impression upon the heart of the young prince, which was naturally good, that, although the advantage he had gained in the action was very considerable, he sued for peace ; and this, by the mediation of friends, was obtained for him ; but he could never recover his father's affections : much less could he prevail upon him to yield up, during his life, the dutchy of Normandy, or even the earldom of Maine, which was become another source of discord between them, as will hereafter be explained in the account I shall give of the different claims made to that province. Disgusted at this, the restless, indiscreet, and ill-advised youth went out of England, and wandered about, like a vagrant exile, or outlaw, for several years, from one foreign court to another, fixing at last in that of France, where he employed all his credit, to incite King Philip to attack his father's territories on the continent. William was now grown infirm, and wished for peace in his old age : but grievous depredations having been made by the French on the borders of Normandy, and his patience insulted by words of contempt thrown out in publick by Philip against him, his great spirit was roused ; and forcing his body to second the active strength of his mind he carried his arms into the domains of the king of France, with more fury, than he had ever before made war in that kingdom. After ravaging the country in a terrible manner, he took by storm the city of Mante, and set it on fire : but either from excessive fatigue in the action, or (as some authors say) from a rupture occasioned by bruising his belly against the pommel of his saddle

Hoveden ut
supra.
Dunelm.
sub ann.
1077. Flor.
Wigorn. sub
ann. 1079.

Ord. Vit. l.
vii. p. 659.
Malmsh. f.
62, 63. l. iii.
de Wil. l.
Gemiticen.
l. vii. c. 44.
l. viii c. 2.
Dunelm.
Hunting-
don.

Malmsh. l.
iii. de Wil.
l. f. 63. et
Ord. Vital.
sub ann.
1087.

in

in leaping a ditch, he fell very ill, and died not long afterwards, at the priory of St. Gervais near Rouen, in the year one thousand and eighty seven, the twenty second of his reign, and the fifty ninth of his age, according to William of Malmſbury, but the sixty fourth, according to others.

The character of this prince has ſeldom been ſet in its true light; ſome eminent writers having been dazzled ſo much by the more ſhining parts of it, that they have hardly ſeen his faults; while others, out of a ſtrong deteſtation of tyranny have been unwilling to allow him the praiſe he deſerves.

See Saxon.
Chron. p.
188, 189,
190, 191.
Malmſb. de
Wil. L. f.
62, 63.
Huntingd.
in ſine Gul.
I. f. 212. l.
vii. Ord.
Vital. Ge-
miticen. et
Piſtaven. de
W. L.

He may with juſtice be ranked among the greateſt generals any age has produced. There were united in him activity, vigilance, intrepidity, caution, great force of judgment, and never-failing preſence of mind. He was very ſtrict in his diſcipline, and kept his ſoldiers in perfect obedience; yet preſerved their affection. Having been, from his very childhood, continually in war, and at the head of armies, he joined to all the capacity that genius could give, all the knowledge and ſkill that experience could teach, and was a perfect maſter of the military art, as it was practiſed in the times wherein he lived. His conſtitution enabled him to endure any hardships; and very few were equal to him in perſonal ſtrength: which was an excellence of more importance than it is now, from the manner of fighting then in uſe. It is ſaid of him, that none but himſelf could bend his bow. His courage was heroic, and he poſſeſſed it, not only in the field, but (which is more uncommon) in the cabinet; attempting great things with means that to other men appeared unequal to ſuch undertakings, and ſteadily proſecuting what he had boldly reſolved; being never diſturbed or diſheartened with difficulties, in the purſuit of his enterprizes; but
having

having that noble vigour of mind, which, instead of bending to opposition, rises against it, and seems to have a power of controuling and governing fortune itself.

Nor was he less superior to pleasure than to fear. No luxury softened him, no riot disordered, no sloth relaxed. It helped not a little to maintain the high respect his subjects had for him, that the majesty of his character was never let down by any incontinence or indecent excess. His temperance and his chastity were constant guards, that secured his mind from all weakness, supported its dignity, and kept it always, as it were, on the throne. Through his whole life he had no partner of his bed but his queen : a most extraordinary virtue in one who had lived, even from his earliest youth, amidst all the licence of camps, the allurements of a court, and the seductions of sovereign power ! Had he kept his oaths to his people as well as he did his marriage vow, he would have been the best of kings : but he indulged other passions, of a worse nature, and infinitely more detrimental to the publick, than those he restrained. A lust of power which no regard to justice could limit, the most unrelenting cruelty, and the most insatiable avarice, possessed his soul. It is true indeed, that among many acts of extreme inhumanity some shining instances of great clemency may be produced, that were either effects of his policy, which taught him this method of acquiring friends, or of his magnanimity, which made him slight a weak and subdued enemy ; such as was Edgar Atheling, in whom he found neither spirit nor talents able to contend with him for the crown. But where he had no advantage nor pride in forgiving, his nature discovered itself to be utterly void of all sense of compassion ; and some barbarities, which he committed, exceeded

ceeded the bounds, that even tyrants and conquerors prescribe to themselves.

Most of our ancient historians give him the character of a very religious prince ; but his religion was, after the fashion of those times, belief without examination, and devotion without piety. It was a religion that prompted him to endow monasteries, and at the same time allowed him to pillage kingdoms ; that threw him on his knees before a relic or cross, but suffered him unrestrained to trample upon the liberties and rights of mankind.

As to his wisdom in government, of which some modern writers have spoken very highly, he was indeed so far wise, that, through a long, unquiet reign, he knew how to support oppression by terror, and employ the properest means for the carrying on a very iniquitous and violent administration. But that which alone deserves the name of wisdom in the character of a king, the maintaining of authority by the exercise of those virtues which make the happiness of his people, was what, with all his abilities, he does not appear to have possessed. Nor did he excel in those soothing and popular arts, which sometimes change the complexion of a tyranny, and give it a fallacious appearance of freedom. His government was harsh and despotic, violating even the principles of that constitution which he himself had established. Yet so far he performed the duty of a sovereign, that he took care to maintain a good *police* in his realm ; curbing licentiousness with a strong hand, which, in the tumultuous state of his government, was a great and difficult work. How well he performed it we may learn even from the testimony of a contemporary Saxon historian, who says, that during his reign a man might have travelled in perfect security all over the kingdom with his bo-

form

form full of gold, nor durst any kill another in revenge of the greatest offences, nor offer violence to the chastity of a woman. But it was a poor compensation, that the highways were safe, when the courts of justice were dens of thieves, and when almost every man in authority, or in office, used his power to oppress and pillage the people. The king himself did not only tolerate, but encourage, support, and even share these extortions. Though the greatness of the ancient, landed estate of the crown, and the feudal profits to which he legally was entitled, rendered him one of the richest monarchs in Europe, he was not content with all that opulence : but by authorizing the sheriffs, who collected his revenues in the several counties, to practise the most grievous vexations and abuses, for the raising of them higher ; by a perpetual auction of the crown lands, so that none of his tenants could be secure of possession, if any other would come and offer more ; by various iniquities in the court of exchequer, which was entirely Norman ; by forfeitures wrongfully taken ; and lastly, by arbitrary and illegal taxations, he drew into his treasury much too great a proportion of the wealth of his kingdom.

It must however be owned, that if his avarice was insatiably and unjustly rapacious, it was not meanly parsimonious, nor of that sordid kind, which brings on a prince dishonour and contempt. He supported the dignity of his crown with a decent magnificence ; and though he never was lavish, he sometimes was liberal, more especially to his soldiers and to the church. But looking on money as a necessary means of maintaining and encreasing power, he desired to accumulate as much as he could, rather, perhaps, from an ambitious than a covetous nature : at least his avarice was subservient to his ambition, and he laid up wealth in his
coffers,

coffers, as he did arms in his magazines, to be drawn out, when any proper occasion required it, for the defence and enlargement of his dominions.

Upon the whole, he had many *great qualities*, but few *virtues*: and, if those actions that most particularly distinguish the man or the king are impartially considered, we shall find, that in his character there is much to admire, but still more to abhor.

Malmsh. l.
ii. f. 62, 63.
de Wil. II.
Gemeticen.
l. vii. c. 41.
l. viii. c. 2.
Dunelm.
Hunting-
don. Wil.
Rufus. A.D.
1087.

The anger of William the First against his eldest son Robert, was so confirmed by the last rebellious acts of that prince, that, although on his death-bed he gave a full and free pardon to all his other enemies, he did not extend it to him; but punishing him as much as lay in his power, bequeathed the crown of England to William Rufus, the second of his sons then alive: Richard, who is said to have been a young prince of great hopes, having died some years before.

V. in Du-
chesne hist.
Norm. Du-
don. St.
Quentin
Decan. de
moribus et
actis. Norm.
l. iii. p. 91.
W. I. ibid.
p. 113.
R. I. p. 157.
Wil. Gemi-
ticen. hist.
Nor. l. ii. c.
22. p. 233.
l. iii. c. x.
p. 237. l. iv.
c. 20. p.
248. l. v. c.
17. p. 257.

It plainly appears from the most ancient Norman historians, that by the constitution of Normandy the duke had a power of appointing his successor, provided it was done with the consent of his barons: and that from Rollo, down to Robert, the father of William the Bastard, not one had taken the government but by such an appointment. He indeed had succeeded to his brother, Richard the Third, not by his brother's nomination, nor yet by hereditary right (for Richard had left an infant son) but purely by election. Nor was his nephew excluded on account of his infancy: for several infants had been permitted to succeed to that dukedom, when nominated by their fathers: but he was set aside, and Robert was raised in his stead to the government, by the favour of the barons; over whom he preserved so much influence, that, not having a son born in wedlock, he brought them to confirm the settlement he desired to make of his

his dutchy, upon William, his bastard : though, at the time this was done, there were in Normandy some collateral legitimate branches of the house of Rollo subsisting.

The Norman government therefore was neither hereditary, according to the present sense of that word, nor purely elective, but of a mixed nature, which partook of both : so far hereditary, that it was confined to *one family* ; so far elective, that out of *that family* the duke had an option to name his heir, even the illegitimate not being excluded : and his nomination was valid, if confirmed by the barons, as it generally was, unless some extraordinary objection occurred. If it happened that no successor was named by the duke *with their approbation*, then they elected whom they judged the most proper of the descendants of Rollo ; but to them they always adhered, and the nearest in blood was thought to have the fairest pretensions. Nor did the English customs differ from the Norman as to the right of succession ; except that in England minors had usually been set aside : but there also the crown had often been disposed of by testamentary settlements, approved by the nation in the Witenagemot, or parliament, and sometimes by their election, without regard to a lineal descent.

See the will of king Alfred, at the end of Asser. de vita Ælfredi.

Upon these principles therefore, and not upon the idea of such a strict hereditary right, as since that time a better policy has established, we ought to judge of the title, which William Rufus had to the English crown : for, without taking these into our consideration, we shall be led to imagine it not so good as it was in the opinion of that age. It is a great fault in some modern writers of the early parts of our history, that they are apt to ascribe to those times all the political notions of these ; which is no less improper than to suppose that these times are bound strictly to conform to the notions of

those, though a contrary usage has long prevailed, and though it must be owned by all thinking men, that the constitution of England has been much improved by various alterations. The only trace that remains, or has remained for several centuries, of the maxims which regulated either the Saxon or Norman succession, is that great, fundamental law, upon which the whole frame of our government and liberty rests, *that the succession to the crown may be limited and altered by parliament.* But this has not been done in latter times, either so often, or upon such light occasions, as, by several instances, we find that it was, both before and in those of which I write; nor is there now any need of a testamentary appointment, or of an election by parliament, to convey the inheritance; but, where no legal and declared impediment hinders, the next in descent, though a minor or a woman, succeeds of course. And it is indisputably much better that the rule of succession should be fixed and certain; the right of changing the course of it being reserved to the parliament, wherein the whole force and energy of the nation resides, among those extraordinary powers, which are not to be exercised, but in case of the most urgent, compulsive necessity, and for the publick safety only.

See Malmsh.
d. W. II.
f. 62, 63. l.
iii. Gemit-
cen. l. vii.
c. 44. l. viii.
c. 2.

See Ord.
Vit. l. iv. p.
545. l. vii.
p. 659.
Malmsh. de
Wil. II. f.
63. l. iii.

From what has been said it is evident, that, agreeably to the customs both of the Normans and English during that age, William the First might think himself justified, by the repeated revolts of his eldest son, to leave his dominions to a younger, who had always been affectionately dutiful to him, and in whom he saw many qualities worthy of a throne: especially, as the former, at that very time, was not only a rebel, residing and serving in an enemy's kingdom, but the chief fomenter and cause of the war. Yet he had reason to doubt whether the barons in Normandy would not refuse their consent, if he should nominate William Rufus, or Henry, his

his youngest son, to be his successor there. For, besides that they had formerly done homage to Robert, as heir to their dukedom, that prince possessed their affections. Those who knew him best expected to govern him, and therefore concurred with the multitude, who desired him for their ruler because he was liberal, good-natured, and brave. On this account his father was induced to leave him that dutchy, which he had not the power to take from him; contenting himself with cutting him off from the succession in England, where he hoped that the parliament would be more easily induced to confirm his appointment.

To procure their concurrence great dexterity was employed, and great diligence used, by William Rufus himself, who, being in Normandy with his father at the time of his death, made such haste into England, that he did not even stay to attend upon the ceremony of the interment. Lanfranc, archbishop of Canterbury, was the first object of his attention. The friendship of any man possessed of that see was then an advantage of great importance to a prince upon such an occasion; but the personal character and credit of Lanfranc rendered it of still greater. The English thought him their friend; for his humanity made him one to all in distress: and the Normans were sensible that he had used the king's favour to moderate and restrain the violence of his temper. The authority, which these opinions produced, gave him the highest degree of influence in this conjuncture. To him William Rufus brought a letter from his father in the nature of a testament, by which that monarch declared, that he appointed this prince his successor in the kingdom.

The archbishop had a paternal regard for William Rufus, whom he had educated himself, and who had even received from his hands the order of knighthood: yet he required some extraordinary securities from him; which William, who

Malm. b. f. 67. l. iv. de W. II. Eadm. hist. nov. l. i. p. 13, 14. Idem, l. iii. f. 61, 62. Ord. Vit. l. viii. sub ann. 1087. Eadm. p. 13, 14.

Malm. b. l. iv. f. 67. de gest. Pont. f. 118.

Eadm. Hist. nov. p. 13.

Eadm. ut
supra.

Huntingd.
l. vii. f. 213.

See notes to
this book.

V. Malmsh.
l. iv. f. 67.
sect. 20.

Ingulph. sub
ann. 1087.
p. 106.

feared that any delay might be hurtful, very readily gave, swearing to Lanfranc himself, and engaging some of his friends to become pledges for him, that he would govern the realm with justice and mercy, and defend, against all men, the safety, peace and liberty of the church. Nay, if we may believe a contemporary writer, he added an oath, *that he would in all things obey the precepts and counsels of the archbishop*. Thus he entirely gained that prelate, and immediately got possession of the royal treasure laid up in the palace at Winchester, amounting to sixty thousand pounds weight of silver in coin, besides gold, jewels, plate and robes, that belonged to the crown, of which he also found a very large store. The silver money alone, according to the best computation I am able to make, was equivalent at least to nine hundred thousand pounds of our money at present. His being master of this, and the respect they paid to his father's appointment, so recommended him to the Normans settled in England, that the chief lords very hastily concurred in his coronation, performed by Lanfranc at Westminster on the twenty-seventh of September, in the year one thousand and eighty-seven. Soon after which, as executor of the will of his father, he gave a bountiful alms to every church in the kingdom, and to the poor in each county; which, though bequeathed by that monarch for the benefit of his own soul, operated to the advantage of William Rufus, and was indeed a bribe to the people. But, in truth, the English were more inclined to him than his brother: for, having resided longer in England, he was thought more an Englishman, and had endeared himself to them by a behaviour more agreeable to their temper and manners. He had therefore no difficulty in bringing them to support his pretensions. The clergy were induced by Lanfranc to favour his title; and before the end of the year all the vassals of the crown,

crown, having confirmed it in parliament, swore fealty and homage to him, without any one dissentient voice being heard.

But he had not reigned many months, when his throne was shaken by a sudden and almost general conspiracy of the great Norman lords, who, though nothing had yet been done by him to offend them, forsook him, and not regarding the oaths they had taken, espoused the cause of Duke Robert. The only reason then assigned for this revolt, was an apprehension of weakening their security here, by the separation of Normandy from the kingdom of England. This was strongly enforced to them by the king's uncle, Odo bishop of Bayeux. In the reign of William the First, his brother on the mother's side, he had been, many years, Grand justiciary of England, during which, by all kinds of oppression and injustice, he had amassed such vast sums, that he formed a design of buying the papacy on the death of Gregory the Seventh, while that pontiff was yet living, and engaged Hugh earl of Chester, with many barons and knights, to accompany him to Rome, and assist him there, by force of arms, to secure his election, as soon as the see should be vacant. The unquiet spirit which then prevailed in the Normans more than in any other people, induced them to leave their establishments in this island, acquired at the expence of so much blood, and seek for greater in the ecclesiastical state: but it is probable that the earl might also incline to try this adventure from some disgust against William; as he could not reasonably hope for a much higher fortune than he already possessed in England and Wales. The design was thought extraordinary, even in that age! nor was it allowed to be carried into effect. For the king, informed of it, and not pleased that his kingdom should lose so much of its wealth and military force, came out of Normandy, found his brother in the Isle of

Ord. Vit. sub
ann. 1087.
l.viii. Hun-
tingdon.
l.vii. f. 213.
Malmsh. l.
iv. f. 57. de
W. II.
Flor. Wi-
gorn. sub
ann. 1087.

Malmsh.
l. iii. f. 62,
63, de W. I.
Ord. Vit.
l.v. i. p. 646.
547. sub ann.
1085.

See Malm'b.
l. iv. f. 67.
de W. II.

See Greg.
epist. l. xi.
epist. ii.

Ord. Vit. et
Flor. Wi-
gorn. sub
ann. 1087.
Huntingd.
l. vii.
Dunelm.
p. 215.
Sax. Chron.
p. 194. 195.
Malm'b. f.
67, 68. l. iv.
de W. II.
Idem de ges-
tis Pont.
Ang. f. 122.

Wight, just embarquing, and arrested him with his own hand, saying, *that he did not arrest the bishop of Bayeux, but the earl of Kent*; a distinction suggested by Lanfranc. This act of authority being done, which no other dared to do, he impeached Odo of many criminal maleversations in his office, which he had connived at before; and, notwithstanding an application from Gregory the Seventh in his behalf, kept him a close prisoner till his own decease, after seizing all his treasures to the use of the crown. The people of England thought it a kind of relief, to see the principal instrument of the evils they had suffered, though he was above the reach of their resentment, thus punished at last by the anger of the king, whose authority he had so long abused. But the solicitations of friends having prevailed on that prince, in his last moments, and against his own inclination, to set him free, William Rufus restored to him his earldom and lands, but did not give him any power; which to a man of his temper was an unpardonable offence. He therefore employed all his talents (and he seems to have had great ones) in endeavouring to transfer the crown to Robert, whom he expected to govern. By his intrigues with those nobles, who, having estates both in England and Normandy, feared, that if they should remain under different sovereigns, their lands might be forfeited in the one country or the other, the defection of the Normans became almost universal. In this extremity William had no resource but the English; and therefore, more powerfully to engage their affections, he not only caressed them, as the friends on whom he relied, but engaged himself to them by the strongest assurances, that he would give them better laws than had ever before been established in England, take off all illegal taxes, and restore to them their ancient freedom of hunting. This raised him an army of *thirty thousand men*, who served him bravely and faithfully

faithfully in his distress, and to them chiefly he owed his preservation: which proves that the English were not (as some writers have supposed) reduced so low by William the Conqueror, even at the end of his reign, as to be mere abject drudges and slaves to the Normans. Their force was sufficient to maintain that prince of the royal family, who courted them most, upon the throne of this kingdom, against all the efforts of the contrary faction: a very remarkable fact, which almost retrieved the honour of the nation.

William Rufus, thus favoured by the natives of England, was a more lawful sovereign of it, by their election, than Robert could be, by any right of inheritance derived from a father, whose own title had been originally bad. Yet though he had gained this advantage, and availed himself of it now as his strongest support, he used all possible means to win over the greatest of the Norman nobility, and break their confederacy; offering them privately any money or lands they desired, and remonstrating to them, *that they ought to take care how they impeached his right to the crown; since the same who had made them earls had made him king.* There was much force in this argument, and it did him good service. Lanfranc also, who had their confidence, became surety for him, that he should redress all the grievances they had complained of under the government of his father: and, seeing the English so affectionate to him, they thought there would be no danger of that nation's shaking off the Norman dominion; but, on the contrary, grew jealous, that, if he should be supported by the arms of the English alone, he might become more an Englishman, than, for their own interest, they wished him to be. By these considerations some of the principal nobles were fixed to his party, and others returned to it who at first had left him. The clergy in general adhered to him strongly, out of re-

V. Audores
citatos ut
supra.

V. Chron.
Sax. p. 195.
sub ann.
1089.
Huntingdon
l. vii. f. 213.

Malmsh. f.
69. l. iv. de
Will. II.
Idem de gest.
Pont. Angl.
f. 122.
Ingulph. sub
ann. 1089.

See Usher's
answer to the
Jesuit, from
p. 77 to 80.
Canon Sax.
MSS Bibl.
C. C. C.
f. 294.
Epist. Æl-
fric. ad sa-
cerdot.
MS. Coll. C.
C. Cantab.
Hicelii
Thesaurus.
See also Matt.
of West. sub
ann. 1087,
et Lanfran.
epist. v.
xxxii. l.
See Lanfran.
epist. viii.
Baron. An-
nal. sub ann.
1079.

gard to their primate. A large body of forces, sent by Robert from Normandy, while he was preparing to come over himself with a greater embarkation, was destroyed in the channel, by the ships that guarded the coast; which so intimidated the duke, that it stopped his design: but his brother lost no time in attacking the conspirators, and soon compelled all the chiefs of them to quit the realm: after which the whole nation submitted quietly to him, under the hope and assurance of a good government. Nor were their expectations contradicted at first by his conduct: but after some time prosperity corrupted his nature, or rather discovered what policy and fear had concealed. This change was accelerated by the decease of Lanfranc, who died the next year, with a very great reputation in the whole Christian world, for piety, learning and parts: but he had made an unhappy use of his talents, by becoming the principal champion against Berengarius for the new doctrine of transubstantiation, unknown to the church of England at the beginning of this century, as are uncontestably proved by the epistles and canons of Ælfric archbishop of Canterbury, and by the prayers and homilies used at that time. It was principally owing to the authority of Lanfranc, supported by Rome, that so strange a tenet was now established both in England and France. He had lived in close friendship with Gregory the Seventh, before the latter was exalted to the papal throne, and had gone so far into his notions, that, in an answer which he wrote to one of his letters, wherein that pontiff complained to him of William the Conqueror's refusing to acknowledge himself his vassal, he told him, *he had endeavoured to persuade the king to it, but could not prevail*. Yet it appears that he afterwards altered his opinion: or, at least, he acted very differently from many of the maxims asserted by Gregory. For he refused to go to Rome against his sovereign's orders;

orders ; answering the pope, who very imperiously summoned him thither, that the laws of the kingdom would not permit him to leave it without the consent of the king ; and persisting in his refusal, though threatened by his Holiness with a suspension. He likewise assisted his master in maintaining all the other points of supremacy, that were disputed between him and this arrogant pontiff. Upon the whole, he was as good an archbishop of Canterbury, as an Italian who lived in the eleventh century could well be ; and the loss of him was much lamented, both by the Normans and English.

See Lanfran.
epist. xxx.
Baron. An-
nal. sub ann.
1081.

After his death, William Rufus, whose passions had been curbed by an habitual respect for the gentle authority of a virtuous preceptor, grew more bold in his vices, and more impatient of any counsels delivered with freedom : yet his character for some time remained undecided ; his great and good qualities being so mixed with his bad, that the world was in doubt what judgment to form of him. But an immense prodigality, which he was forced to support by rapine and extortion, with the instigations of a minister worse than himself, determined that doubt, and made the latter years of his reign a continual series of grievous oppressions.

v. Malmsh.
f. 69. l. iv.
de W. II.

Ralph Flambard, a Norman, who, from the dregs of the people, had been advanced by William the First to be one of his vassals, became such a favourite with this king, that he was set at the head of his administration, and, to the great scandal of the English church, made bishop of Durham. The merit that recommended him to these great promotions was a forward and enterprising spirit, an eloquent tongue, a taste for those pleasures his master loved, but, above all, a very fertile invention of ways and means for the raising of money, with a remorseless insensibility to the complaints of the people, and a daring contempt of the resentments of the nobles. He had scarce any learning, and not so much as an external

See Domes-
day book.

Ord. Vit.
l. viii. p. 678
679. et l. x.
p. 786.
S. Dunelm.
p. 225.

Eadmer.
Ingulphus.
Chron. Sax.
S. Dunelm.
Malmsh.
Huntingdon.
Ord. Vit. de
W. II.

external shew of religion : but a more agreeable wit, a more skilful courtier, a more subtle lawyer, a more magnificent prelate, was not in the kingdom. Under the power of this man, the commons of England, instead of being relieved from their grievances, agreeably to the promises made by the king, were harassed with worse exactions, than they had borne even under the ministry of the bishop of Bayeux. The whole nation now felt, more insupportably than ever, what heavy burthens the feudal laws could by arbitrary constructions impose on the subject. Aids levied by virtue of the royal prerogative, upon a pretended necessity, of which the king himself was the sole judge ; or asked as *free gifts*, but which it would not have been safe for any man to refuse ; exorbitant fines (called in the law-term *Reliefs*) on the decease of the tenant ; grievous extortions on the livery of lands to the wards of the crown, and other abuses of wardship, particularly with regard to the marriage of wards ; all these, and more, were complained of as effects of the counsels of Flambard. They fell indeed first upon the great Norman lords ; but the evil did not stop there. Whatever demands were made by the king on his vassals, they made on theirs ; whatever powers he exercised, they likewise claimed, and often abused still more than he. Thus the concatenation, by which the several parts of the feudal system were linked together, became a mere chain of arbitrary oppression, under which all suffered much, but the lowest most. Nor was the avarice of the court content with these methods of acquiring wealth. Every thing was sold by the king and his ministers ; benefices, bishopricks, justice itself. When all other means were exhausted, confiscations were sought for under various pretences, the last and worst resource of a prodigal tyrant !

One is surprized that, in times which had no idea of the duty of *passive obedience*, either the Normans
or

or English should have endured such a government. Great advantage might have been taken of the enmity between the two brothers, which cut off the communication between England and Normandy, and deprived the king of the means, which his father had preserved, of drawing recruits from thence to oppress the English. But this perhaps was the very reason why the Normans in England durst not rebel. They were afraid that the English should take occasion from their disagreeing among themselves, to drive them all out of the kingdom. On the other hand, such a destruction had William the Conqueror made of the English nobility, that there remained no chief of that nation who had any authority with his countrymen : and popular discontents are not very dangerous without an able head to direct them. Those who had escaped from the sword or imprisonment were gone into the service of foreign powers, some even as far as Constantinople, where they were lost to their country, and could do it no service against the despotism under which it was fallen. The extravagant bounties of William Rufus, who gave his army all he could tear out of the bowels of his people, not only endeared him to the soldiery here, but drew to his service great numbers of the most valiant men from all parts of Europe, who were a continual supply of new force, by which he was enabled to intimidate those of his national troops who were at any time displeased with his conduct. Yet one conspiracy was formed to dethrone him, by Robert de Mowbray, earl of Northumberland, and some of the greatest Norman lords : but not being supported, for the reasons I have given, by any general insurrection, his active valour and prudent conduct soon overcame it : so that, in the issue, this unsuccessful revolt only augmented his power.

It is worthy of note, that these lords did not conspire in the name of Duke Robert, but, without any

See Ord. Vit.
l. iv. p. 508.

Ord. Vital.
Malmsh.
f. 69, 70, 71.
l. iv. de
W. II.

Flor. Wi-
gorn. sub
ann. 1095
et 1096.
S. Dun. sub
iisdem ann.
Malmsh.
l. iv. f. 70.
de W. II.
Hunting. sub
ann. 1095.

any regard either to him or Prince Henry, his youngest brother, designed to have given the crown to Stephen earl of Albermarle, nephew to William the First by one of his sisters, married to Odo earl of Champagne and of Holdernefs, a younger son of the house of Blois, who had settled in Normandy.

See Gemitic.
l. viii. p. 294.
Ord. Vit.
l. iv. p. 522.
l. v. p. 574.

As this necessarily united all the three brothers against their attempt, it seems to have been a very impolitick measure. Most of the conspirators fell into the hands of the king, who had so much moderation, as to punish but few of them either in life or limbs, contenting himself with only imprisoning the others, among whom were Robert de Mowbray, Odo earl of Champagne, and Stephen, his son. But they all suffered in their fortunes; for the king's wants required a large supply, and his nature delighted more in confiscations than blood. Indeed his sparing the lives of the three noblemen above-mentioned, especially of the last, was an extraordinary act of mercy; jealousy of state scarce permitting the mildest king to suffer a subject to live, whose ambition had aspired to deprive him of his

Matth. Paris.
sub ann.
1097, 1098.

crown. William extended his clemency so far, as even to set the earl of Albermarle at liberty, after a very short time: for he is mentioned in history among the chiefs of the first crusade. Probably his father was also released; but Robert de Mowbray remained in prison almost thirty-four years, and died there of old age.

Ord. Vit.
l. vii. p. 649.

It was well for the king, that before this conspiracy broke out in England, Scotland had been disabled from giving him any disturbance. For tho' Malcolm the Third had done homage to William the Conqueror, for those parts of his kingdom that had been anciently held of the English crown, there was no sincerity of friendship between them; that prince, out of affection to his queen and her countrymen, hating the Normans, and observing very ill the peace he had made. In the fourth
year

See Malmsb.
l. iii. f. 53.
de W. fl.
Flor. Wig.
ann. sub
ann. 1072.

year of this reign, the king being in Normandy, he invaded Northumberland, and having ravaged the open country, retired again into his own territories : but to revenge that insult, William Rufus returned into England, raised a great force, by sea and land, and marched against Scotland, accompanied by his brother Robert ; with whom, after having attacked him in his own dutchy, he made an agreement, which, if either of them should die without legitimate issue male, constituted the other his heir in all his territories and possessions, besides some present advantages reciprocally granted on either side. The two brothers, thus reconciled, advanced into Lothian ; but, before they got thither, almost all the English fleet was destroyed by a tempest ; and the cavalry suffering much for want of provisions and from the coldness of the weather, William consented that Robert, for whom he knew that the king of Scotland professed a regard, should be the mediator of a peace between the two crowns, conjointly with Edgar Atheling.

*Idem, sub
ann. 1092.
Malmsh.
f. 68. l. iv.
de W. II.*

This prince, in the year one thousand and eighty-six, had left the English court and gone into Apulia ; from whence, upon the death of William the Conqueror, he returned into Normandy, invited by Robert, who gave him an honourable fief in that dutchy. But when the agreement was concluded between Robert and William Rufus, the latter, who had conceived some resentment against Edgar, insisted upon his being deprived of this grant. Thus driven from Normandy the unfortunate fugitive retired into Scotland, and, being in his nature pacific, easily lent his good offices, to accommodate the quarrel between the two kings ; upon the merit of which conduct William Rufus condescended to be reconciled to him ; and that was all the benefit he drew from the treaty. Yet, though Malcolm, from a desire of obtaining this peace, agreed to do homage to the king of England for the fiefs

*See F. Wig.
sub ann.
1087 & 1092.*

*Idem ibid.
Huntingd.
l. vii. f. 213.
See Malmsh.
f. 68. l. iv.
de W. II.*

he

Idem, f. 89.
l. v.
Flor. Wi-
gorn. sub
ann. 1093.
Sax. Chron.
Huntingdon.
l. vii. f. 214.
S. Dunelm.
sub ann.
1093.

he held of that crown, as he had done to his father, new differences immediately broke out between them, upon the nature of his service, and the manner in which the question should be determined ; differences, that soon afterwards occasioned a war, which Malcolm began by a most furious incursion into Northumberland : but acting there with more heat than prudence, both he and his eldest son, a youth of great hopes, were surprized by a party of Robert de Mowbray's troops, commanded by a knight named Morel, and slain, near Alnewike castle, of which Morel was the governor, in the year of our Lord one thousand and ninety three.

See Ethelred.
abb. Riv. de
genealogia
reg. Angl.
p. 367.

The character of this monarch cannot better be shewn, than by one fact, which is related from the mouth of his own son, King David the First, to King Henry the Second, his great grandson, by Ethelred abbot of Rivaux. Having received an information, that one of his nobles had conceived a design against his life, he enjoined the strictest silence to the informer, and took no notice of it himself, till the person accused of this execrable treason came to his court, in order to execute his intention. The next morning, he went to hunt, with all the train of his courtiers, and, when they were got into the deepest woods of the forest, drew that nobleman away from the rest of the company, and spoke to him thus: " Behold ! we are here alone, " armed, and mounted alike. Nobody sees, or " hears us, or can give either of us aid against the " other. If then you are a brave man, if you have " courage and spirit, perform your purpose ; ac- " complish the promise you have made to my ene- " mies. If you think I ought to be killed by you, " when can you do it better ? when more oppor- " tunely ? when more manfully ? — Have you " prepared poison for me ? that is a womanish " treason. — Or would you murder me in my " bed ? an adulterers could do that. — Or have " you

“ you hid a dagger to stab me secretly ? that is the deed of a ruffian. — Rather act like a soldier ; act like a man ; and fight with me hand to hand ; that your treason may at least be free from baseness.” At these words, the traitor, as if he had been struck with a thunderbolt, fell at his feet, and implored his pardon. “ Fear nothing : you shall not suffer any evil from me ;” replied the king ; and kept his word.

Besides this admirable greatness of mind, he had many other virtues, both public and private ; and is charged with no fault, but too barbarous a manner of making war in his incursions into England. He gave a new form to the constitution of Scotland, modelling it nearly upon the same feudal plan as that which the English had received under the reign of William the First ; though he was no friend to the Normans. Nor did his subjects oppose this alteration : which shews that his authority was great among them. Perhaps indeed the nobility, who found their account in it better than the people, might be inclined to assist him ; and, when it was once established, his good and mild government recommended it to them, and covered its defects. Nor do we know enough of the former constitution of their kingdom, to be able to form a certain judgment, how far they either gained or lost by the change.

See S. Du-
nelm. sub
ano. 1070 et
1093.

The untimely death of this king, and of a young prince who seemed to inherit his virtues, was a terrible blow to Scotland, and drew after it a train of other misfortunes. Margaret, wife to Malcolm, a lady renowned for piety and goodness, who in a court had always led the life of a saint, died of grief for the sudden loss of her husband and her son. She heard the account of it, received the last sacraments, and expired in three days. Very soon afterwards, the Scotch parliament expelled Edgar Atheling,

ling, with all the other English whom Malcolm had employed in his service, and gave the crown to Donald-Bane, the late king's younger brother, tho' that monarch, at his death, had left five sons, born to him of Margaret ; these being all set aside, on account of their nonage and English blood, against which last an excessive rage of national hatred had been excited by jealousy, and envy at the favours, which the bounty of that prince, and his affection for his consort, had made him bestow on her countrymen with too lavish a hand. Indeed this was the real cause, and the other only a pretence : for though we are told by Buchanan, that the ancient custom of Scotland had been *to chuse, not the next, but the fittest, of the dead king's relations*, and therefore minors had not been suffered to reign in that kingdom, for several ages ; yet, under Kenneth the Third, a different constitution had been received, and, in spite of great opposition from the princes of the blood, which it afterwards met with, was confirmed by the parliament under Malcolm the First ; it being then enacted, that the eldest son of the king should succeed to his father ; and, if the son died before the father, the grandson should, if there was any, succeed to the grandfather, and, if under age, should have a guardian or protector assigned him. But the furious aversion, that most of the nobility had now to the English, revived the old law and abrogated the new : which was the more easily done, as Donald-Bane was supported by Magnus king of Norway, whose assistance he had purchased by a secret engagement to yield to him all the western isles. Upon this revolution, Edgar Atheling carried with him into England the orphan children of Malcolm ; among whom was Matilda, a very beautiful princess, who was afterwards married to King Henry the First.

William

See Buchanan, l. vi.

See Buchanan, l. vii.

William Rufus was now delivered from all apprehensions of danger from Scotland: but, not content with security, he sought further advantages from this event. A natural son of Malcolm, whose name was Duncan, had been sent to his court as an hostage. He was then of full age, and thinking the opportunity favourable, aspired to the dominion of Scotland. William consented to assist him in that design with an army, after having received from him an oath of fealty. By the help of these forces he defeated Donald Bane, drove him into the western isles, and got possession of the throne: but, some of the foreign auxiliaries being retained in his service, the jealousy of the Scots broke out again as strong as before; a powerful conspiracy was suddenly formed in his court; the English and Normans were almost all massacred; but his own life was spared, and he was even allowed to reign, under a solemn engagement, that he would bring no more foreigners into his kingdom. Yet he was murdered soon afterwards, by Malpeit earl of Merns, at the instigation of Donald Bane and of his own half-brother Edmond, one of the five sons of Malcolm and Margaret, who was persuaded to concur in this wicked act, upon a promise from his uncle of one half of the realm. But no regard was paid to that covenant by Donald Bane, when he had recovered the throne; and, after three years, the Scots being disgusted at the loss of their islands, which the king of Norway had seized, agreeably to the former compact between him and their sovereign, they invited Prince Edgar, the eldest of Malcolm's surviving sons, to assert his right to the crown, as the objection formerly made to him, on account of his minority, no longer subsisted. Edgar, who lived under the protection of William, was afraid to leave his court without his consent, or to undertake such an enterprize without his help. He applied to him for both; and William thereupon, considering that Donald Bane

Flor. Wigorn. sub ann. 1093. Sax. Chron. S. Dunelm. Huntingdon. Malmfb. l. v. f. 89.

See Malmfb. f. 89. l. v.

Buchanan, l. vii.

Malmfb. de W. II. f. 69. l. iv. S. Dunelm. Huntingdon. Sax. Chron. Flor. Wigorn.

would be always his enemy, on account of the assistance he had given to Duncan, and desiring that Scotland should have a king made by him, determined to assist his royal guest, and ordered a body of his own troops to march into that kingdom, under the command of Edgar Atheling, against Donald-Bane. There is not in all history a more striking instance of the extraordinary changes, which the course of Providence makes in human affairs, than to see that very prince, who was lineal heir to the Saxon crown, set at the head of a Norman army, and sent to conquer the kingdom of Scotland in behalf of his nephew, by the son and successor of William the First. At the same time it is a proof in what contempt William Rufus held Edgar Atheling; for had he not greatly despised, he must in reason and policy have feared him too much, to have done him this kindness. But though he did not fear *him*, he might have been justly apprehensive of future danger to the Normans established in England, from the crown of Scotland's being worn by a great grandson of Edmond Ironside. It is equally strange that he over-looked this objection, and that no king of that family ever claimed the realm of England by his descent from queen Margaret!

Edgar Atheling, having fought with and defeated Donald-Bane, took him prisoner, and settled his nephew on the throne. Edmond, the brother of Edgar, who had been an accomplice in the murder of Duncan, was likewise imprisoned, and dying not long afterwards with a strong sense of his guilt, desired to be buried with his fetters upon him, as a mark that he acknowledged the justice of his punishment. From this time till the decease of King Henry the First, Scotland was in peace and friendship with England.

See Malmsh.
l. v. f. 89.
de Hen. I.

See Eadm.
hist. nov.

The great disregard William Rufus always shewed for the pretended rights of the clergy might have

have hurt him much more than all his violations of civil liberty, if it had not been for one favourable circumstance ; I mean the long schism between Urban the Second and the antipope Clement ; in which he taking no part, neither faction was inclined to disturb his tranquillity, or make an enemy of so potent a king. And while he delayed to declare himself, no pope was, or could be acknowledged by his subjects. In this state of uncertainty the nation remained eleven years ; William being aware of the advantage he drew from such a situation, and too good a politician ever to be forward to espouse any party, either in spiritual or civil broils, when the dispute did not directly and strongly concern his own present interest or future security. But Anselm an Italian, bred up in all the notions of the Roman theology, who had succeeded to Lanfranc as archbishop of Canterbury, having acknowledged Urban in Normandy, while he was abbot of Bec, thought himself equally bound to own him now, as primate of England, and asked leave of the king to go to Rome, in order to receive his pall from that pope. William considered his petition as treason against the royal dignity, though in reality he had drawn it upon himself : for Anselm before his promotion to Canterbury had fairly notified to him the part he had taken, and that he would firmly adhere to it : notwithstanding which declaration he had been chosen into that see, at the earnest desire of the king, and with great reluctance in himself to accept of the charge. It is hard to comprehend why this prince was so desirous of raising to that see a man pre-engaged in a point of such consequence, while it was for his own interest to avoid a decision ; especially if (as William of Malmesbury affirms) he rather inclined to favour Clement. The presumption is strong, that (whatever his sentiments might be at this time) he was disposed, when he promoted An-

Flor. Wi-
gorn.

Eadm. l. i.
p. 25, 26,
27. Malmsh.
de gest.
pont. Angl.
l. i. p. 124.

selm, to concur with that prelate in acknowledging Urban. He had now altered his mind, and probably with good cause; for many great interests might make a neutrality desirable for him, and more so at this conjuncture than a little before. But the inflexible character of this mitred monk would not permit him to regard, either reason of state, or the duties of his own situation, which undoubtedly obliged him to wait for his pall, till the dispute from whose hands he was to receive it had been determined by the royal authority; whereas what he proposed was in effect deciding that question, by his own private authority, not for himself alone, but for his sovereign, and for the whole kingdom. When he was told by the king, that his doing such an act would be contrary to the fealty which he had sworn, he tried to distinguish between that fealty, which extended only to temporal matters, and the spiritual obedience due to the pope, which, he thought, was concerned in this point. For in some papal decrees the metropolitan jurisdiction and power were said to be conferred by the pall; and others declared it unlawful for any archbishop to exercise his authority till he had received one from Rome: it being now an established notion, that all metropolitans were only the *vicars*, or rather *viceroy*s of the pope, in their several provinces; and that the pall was the ensign of their office. This was too lightly given way to by kings, and proved in its consequences one of the deepest arts, by which the policy of the court of Rome supported its power. For thus all the greatest prelates, who might have affected an independence on that see, had another object of ambition set up, viz. an independence on their own sovereigns, and an imparted share of the papal dominion over all temporal powers. It was on these principles that Anselm proceeded. They were so fixed, both in his head and his heart, that nothing

Decret. l. ii.
tit. 6. c. 4.
28. et tit. 8.
c. 3. De
Marca de
concor.
facer. et
imp. l. vi.
c. 6.

nothing could remove them, or even suspend their effects. But he had a monarch to contend with, who was full as tenacious of his royal prerogatives, as he could be of the maxims or pretensions of Rome. Their conference, therefore, was very far from convincing either the one or the other. The king urged the laws and customs of his kingdom; Anselm answered him with texts of the gospel misapplied. At last the dispute between them was brought to an issue, by the archbishop's desiring, that it might be determined by the judgment of parliament: which William agreed to; and a parliament was assembled at Rockingham castle upon this business. Anselm, having stated his difficulty to them, asked their advice, especially that of the bishops, in whose sentiments he hoped to find a conformity to his own: but even they referred him absolutely to the will of the king; and let him know, that, if he did not submit to it without any reserve, he must expect no help from them. "Since none of you here (replied the primate) will advise me how to act, unless according to the pleasure of one man, I will have recourse to the angel of the great council, and be directed by him in this affair, which is indeed his rather than mine." He then repeated the principal texts of scripture applied by the church of Rome to the pope, and concluded with this; *Render to Caesar the things which are Caesar's, and to God the things which are God's*; declaring, he resolved to act by that rule; for in all points which belonged to God he would pay obedience to the vicar of Peter; and in those which belonged to the temporal dignity of his lord, the king, he would give him faithful counsel and assistance, to the utmost of his power. He had scarce concluded his speech, when all the barons who sat with him rose up at once, expressing, by a confused sort of outcry against him, the utmost displeasure and indignation;

Ann. Dom.
1097.
Eadm. l. i.
p. 26, 27,
28.

tion ; and then, after declaring to him, that they would not presume even to report to the king the words he had uttered, they departed from him abruptly, as one whose society they feared or abhorred, and went to the king, who was in another room, with some of his ministers. Anselm, seeing this, followed them, and repeated himself to that prince what he had spoken in their presence : after which, with great calmness, he returned to his seat. The bishops, abbots, and barons, continued a good while in council with the king, during which the old man, sitting alone, fell asleep. At last, the bishops, accompanied by some of the temporal barons, came back to him, and acquainted him in very strong terms, that the whole nation complained of him, because he attempted to take from the king his royal prerogatives, which was, in effect, to deprive him of his crown. They all advised him to throw off his obedience to Urban, who could do him no good, if the king was offended against him, nor harm, if he was appeased ; and to wait for his sovereign's orders in that state of freedom, which, they said, it became an archbishop of Canterbury to keep himself in, with regard to this dispute. They added warm exhortations, that he should acknowledge his fault, and try to gain the king's pardon, by an unlimited promise of future obedience. But he, who in asking the opinion of parliament had no other intention, than merely to avail himself of their approbation, or at least of that of the bishops, in support of the part he had determined to take, being disappointed in this hope, desired another day, to consider of his answer, which, he told them, he would give, *as God should inspire him* : yet, even then, he declared an unalterable resolution not to depart from his obedience to Urban. All his brethren, supposing that his desire of delay was owing to uncertainty and irresolution, advised the king not to grant it, but

but to bring the affair to an immediate conclusion. The bishop of Durham, (predecessor to the infamous Flambard) was the most zealous in this counsel, having strong hopes (as some contemporary authors affirm) of being promoted to Canterbury, if Anselm, by his contumacy, should be deprived of that see. He likewise sought all occasions of making court to the king, because, having been deeply engaged in the revolt of the bishop of Bayeux, and driven out of England on that account, he had, afterwards, received a gracious pardon. William, who perfectly understood the advantage of having a bishop to take the lead in an affair of this nature, on the side of the crown, left the management of it to him, and approved his advice, not to grant the request of Anselm. This prelate therefore returning, with many more of the spiritual and temporal lords, informed the archbishop, that the king was highly provoked at the offence he had committed against his royal dignity, by *making the bishop of Ostia pope in his kingdom without his permission*; and notified to him, that judgment would immediately be passed upon him; and the sentence not a light one, if he did not, without delay, submit to the king, and reinstate him in those rights, which were the most valuable prerogatives of his crown, and which he himself, by his oath of fealty, had solemnly promised to maintain. Anselm replied, with some warmth, that, whoever accused him of having violated his oath to the king, because he refused to renounce his obedience to the pope, should find him ready to answer that charge, *in the name of the Lord, as he ought, and where he ought*; by which he intimated to them, without speaking too plainly, that he acknowledged no other jurisdiction, but that of Rome. They understood what he meant, and were so desirous of supporting that pretended exemption, in which the whole order was concerned, and so afraid

Malmsh. de
gest. pontif.
Angl. l. iii.
f. 158.
Idem, l. i.
f. 124, 125.
Eadm. hist.
nov. l. i.
p. 28, 29.

of being engaged in a dispute with the Roman see about its jurisdiction, that they seemed quite disconcerted. After they had left him, and returned again to the king, he was much encouraged by a declaration, that the people, or *commons*, who attended the parliament, were favourable to him. Nor did the temporal barons, in their succeeding consultations, shew any inclination to deal severely with him; but were rather struck with the intrepidity of his behaviour, and wished to bring about an accommodation. The bishop of Durham alone, more firm than all the rest, as being more interested in the ruin of Anselm, proposed the depriving him of his archbishoprick and banishing him out of the realm. But the temporal barons expressing their disapprobation of such a rigorous sentence, the king was very angry, and said with much passion, "If this does not please you, what does?" "As long as I live I will never endure to have an equal to myself in my kingdom. If you thought that the archbishop was so strong in his cause, why did you suffer me to engage in this business?" "Go, and consult what to do; for, by God's face, if you do not condemn him, according to my pleasure, I will condemn you." Thus did this prince, even in supporting the lawful rights of his crown, speak, and act like a tyrant. He then asked the bishops, what their sentiments were, who answered, that being suffragans to the archbishop of Canterbury they could not be his judges; and it was very true, that *as bishops alone* they could not, if the other barons would not join with them in the proceeding: but to the judicature of the high court of parliament the archbishop undoubtedly was just as much subject as any other peer. William enquired of them, whether they could not, at least, renounce their episcopal obedience to Anselm, and all fraternal communion with him; declaring, that he was determined not to acknowledge

Eadm. hist.
nov. l. i. p.
30, 31.

ledge him for his archbishop, nor give him the benefit of his royal protection, while he continued in the kingdom. To this they consented; though it was certainly doing a still more unjustifiable and violent act than what they had refused: for this was in effect to depose and outlaw the archbishop of Canterbury, without any judgment having been passed upon him, otherwise than by the arbitrary power of the king. But it did not so immediately seem to entrench upon the pretended jurisdiction of Rome, as if they had made themselves his judges in form. Having therefore agreed to comply thus far with the desire of that prince, or rather having submitted to obey his orders, they went, together with the abbots, and notified it to Anselm, who coolly told them, *that he would not renounce his paternal care and authority over them and the king; but would use them to their reformation.* The temporal barons being also required by William to do as the bishops had done, their answer was, that they were no vassals to Anselm, and could not renounce an obedience which they never were bound to: but he was their archbishop; and, so far as his spiritual power extended, they could not withdraw from it, because he had done nothing to forfeit that character. At which the bishops and the king were alike confounded; and the latter thought fit to let the business rest for some time, finding the nation inclined to support Anselm against any violence. The common people especially seemed to be eager in his favour, partly from zeal for religion, which he had made them believe was concerned in the quarrel, and partly from that compassion, which any appearance of being persecuted by a court is apt to excite in their minds. Indeed he had not yet committed any crime worthy of banishment or deposition. For it was not necessary that he should renounce the engagements he had personally taken to Urban, till another pope was crowned

owned by William : nor did he violate the laws, so long as he abstained from any publick act, which might appear to engage his sovereign and the nation. His going to Rome to receive his pall from the hands of that pope, before he was acknowledged by the king, would undoubtedly have been criminal : but, as he stopped short at the bare desire, the barons did well to proceed no further than to reprove his intention. Yet, as William had expressed so much anger against him, and even declared that he would withdraw from him his royal protection, while he remained in the kingdom, he took occasion from thence to ask his leave to go abroad, and remain out of England, till the schism should be ended. It seemed very hard to deny him this request, as he made it in terms of due respect and submission : but though the king would gladly have sent him away deprived of his see, he did not care to trust him out of England, while he continued archbishop of Canterbury ; and was afraid of the scandal it might cause, to have him thus abandon his see, and go, as it were, uncondemned into banishment. Under this difficulty he consulted only with the temporal barons : for he was much less offended with the direct opposition they made to his will, than with the uncertain and wavering conduct of the bishops ; many of whom now sought for nice distinctions, with regard to the declaration they had made of renouncing obedience to Anselm, as if they had meant only such obedience, as he might pretend was due to him by virtue of any authority derived from Urban, or might demand of them in behalf of that pontiff. The king, who had proceeded at first upon the encouragement given by them, seeing himself now disgraced in this business, shewed great resentment ; and (if we may believe an historian of those times) they who had used these evasions were driven from his presence, and threatened to be punished

as traitors and rebels, till they bought their pardon with large sums ; *which* (says that author) *was the only sure means by which they were accustomed to appease his displeasure.* The temporal barons, whose advice he now chose to take, advised him rather to sooth than inflame the archbishop, in order to stop him from going out of the kingdom ; which they were apprehensive he would venture to do, without leave, if more gentle methods were not tried, in order to prevent it : for they saw that his obitnacy was not to be overcome by any ill usage, and thought the king had carried a point of great importance, in having persuaded him to drop, or at least suspend, his first intention of taking his pall from Urban. William therefore proposed to him, that, in hopes of establishing concord between them, a certain time should be fixed for the final determination of their dispute, and gave him assurances, that, during the interval, he should remain in peace and security, if he would do nothing himself to create any disturbance. To this he consented, *saving the obedience he owed to Pope Urban,* which reserve he thought it was necessary to express in the treaty, lest his inaction should be deemed a renunciation. But, before the expiration of the truce thus agreed on, the king, who did not intend a peace, grievously mortified him, by driving a monk, who was his principal counsellor, and two of his favourite clergymen, out of the kingdom, with other acts of severity, but done by judgment of law, against some of his nearest domesticks and vassals. Nor was the vengeance of that prince content with these victims ; but, to reach Anselm himself, he used those arts, which he always had recourse to, when he met with such difficulties, as he could not surmount by open force. For, while he pretended to postpone the whole controversy between himself and that prelate, till the next meeting of the great council, which was at some distance,

Esdm. p.
l. ii. 32, 33, 34.

REVOLUTIONS *of* ENGLAND

distance, he dispatched agents to Rome, with secret instructions to treat with Urban; offering to acknowledge that pontiff as duly elected, if he would send over to *him* the archbishop's pall, and let *him* dispose of it, as *he* should think proper. Urban was pleased with this message, and immediately sent the pall by the bishop of Albano; who brought it to William, without the knowledge of Anselm, and promised that monarch, in the name of the pope, a full confirmation of all the prerogatives and rights of his crown by the papal authority, if he would acknowledge and obey him as sovereign pontiff. William, who perceived that his people and clergy were generally disposed in favour of Urban, accepted these offers, and having declared his reception of him throughout his dominions, tried to prevail upon the bishop of Albano, to concur with him, as legate, in the deposing of Anselm; offering a great sum of money to be annually paid, both to that prelate and to Urban, if they would gratify his desires in this matter. For, though he had now removed the cause of his difference with the archbishop, he could not forgive his obstinacy; and was the more angry, because he had been dishonoured in the contest. Policy also joined with passion, to make him desire, that so warm a bigot to Rome should not continue primate of England. But the bishop convinced him of the impracticability of what he demanded; which could not indeed be expected from that see; the election of Anselm having been so canonical, as not to admit a dispute, and his whole behaviour most meritorious, both to the papacy and the pope. There being therefore no hopes of getting him deposed, the king endeavoured to find some means of compounding their quarrel to his own profit. With that view, he sent some of his brethren, to sound him privately, as from themselves, and learn, whether he would be willing to regain

regain the royal favour *by a present of money*, and what he might be prevailed upon to give for that purpose. Anselm nobly answered, *that he never would put such an affront on his master, as to prove by fact that his friendship was to be sold*: but he added, that if that prince would give it him freely, and let him live in England, with peace and security, as archbishop of Canterbury, under obedience to Urban, he would receive it with thankfulness, and serve him faithfully, as his lord and his king: if not, he again entreated his permission to withdraw out of the kingdom. Upon which they told him, that Urban had sent the pall to the king; and that it was reasonable he should at least pay as much to that prince, as it would have cost him to have gone in person to fetch it from Rome. He was not a little surprized at this information: yet though he saw by it that the courts of England and Rome were even better agreed than he had wished, and that the latter had not treated him with the regard he deserved in this affair, he persevered in refusing to give the king any money, notwithstanding the urgent advice of all his brethren; so that William, in the end, despairing to sell, consented to give him the pall. But Anselm conceived, that to take it from his hands would be a kind of acknowledgment of having received it, not from the papal, but regal authority; and therefore refused it. After some altercation upon this delicate scruple of conscience, in which the archbishop's zeal for the papacy exceeded that of the pope himself, it was ended at length by an expedient of a new and singular nature. The pall was laid on the high altar of Canterbury, and Anselm took it from thence, *as from the hands of St. Peter*.

All was now quiet between him and his master. Many of the nobility had made themselves intercessors for him, and, to obtain a reconciliation, had

Eadm. hist.
nov. l. ii.
p. 33. sec.
20.

Idem, l. ii.
p. 37.

had persuaded him to give his faith to the king, that he would obey and maintain the royal customs and the laws of the realm. Upon this promise, which seemed a security against any future disputes, William received him into favour; but soon afterwards, at his return from a war against the Welch, he complained, that the men, whom the archbishop had provided for that expedition, were neither so well accoutred, nor so fit for the service, as they ought to have been; and summoned him to be ready to answer that charge, in his court. Anselm said nothing; but in his own mind he determined not to obey. Accordingly, at the next meeting of the great council, there being some talk of bringing on the affair with which he had been charged on the part of the crown, he applied to some of the chief nobles, and by them acquainted the king, that being compelled by most urgent necessity he desired his leave to go to Rome. The king, surprized at the message, sent back a denial; saying, "He did not believe that the archbishop was guilty of any such heinous crime, as to be obliged to fetch absolution for it from Rome; and that, in the opinion of every man, he was as able to advise the pope, as the pope to advise him." Nevertheless that prelate renewed his petition, again and again, though the charge against him was dropped. William at last grew impatient, and sent him word, that, if he did go to Rome, he would seize his temporalities, and acknowledge him no longer for his archbishop: notwithstanding which he persisted, and even declared, *that, if the king would not give him leave, he would take it: for it was better to obey God than man.* The bishop of Winchester told him, that the king and the barons knew him to be obstinate in all his designs; but they could not believe he would persist in this point of going to Rome, at the expence of losing his see. I will persist, replied the undaunted prelate. Which being reported

Idem, p. 38,
39, 40.

ed to William, while he and his barons were consulting about it, Anselm thought it proper to enquire of the bishops, whether they would stand by him in this dispute, or no. After some deliberation, they frankly told him, *that they could not come up to his sublimity*, nor would transgress against the fealty, which they owed to the king. His answer was, "Do you then go to *your lord*, and I will "adhere to God." Hereupon they all left him, and soon returned with a message from the king to this effect; That, whereas the archbishop had broken the promise solemnly made to him at their reconciliation, by declaring a peremptory and fixed resolution of going to Rome without his leave, against the known customs and laws of the kingdom, which that prelate had bound himself to obey and maintain; lest this unheard of presumption should be drawn into a precedent, he now commanded him, either to take an oath, that he would never appeal to the pope in any cause, or to depart immediately out of the realm; and even required, that if he did consent to that oath, he should make him satisfaction for the trouble he had given him in this affair. Anselm sent no answer, but came to the king in his great council, and pleaded there, that, when he had promised to obey and maintain his customs and laws, the engagement extended only to such, as were *rightfully constituted and according to God*. The king and the barons absolutely denied, that there had been any mention made of such a distinction in that promise: to which he answered, that it was *understood*, if not *expressed*; for, if there were in the kingdom any customs or laws repugnant to justice or the divine will, no Christian was obliged to obey or maintain them. And he pronounced that law, which denied him the liberty of going to the pope, to be *neither just nor agreeable to the divine will*; declaring *that it ought to be despised and rejected by every servant of God*. As for the oath the king required, he

he said, *to swear that, would be to abjure St. Peter and Christ.* The final conclusion was, that he would go to Rome; and with this declaration he left the council. But some noblemen were sent after him, to let him know, that, if he went out of the kingdom, the king would not suffer him to carry any thing of *his*, along with him. The archbishop replied, that he had horses, cloaths, and other goods, which perhaps the king might say were *his*, and if he did not allow him to carry away those, he would go naked and on foot, rather than desist from his resolution. Before he departed, he returned to the king, recommended him to God, and gave him his benediction. Then taking the scrip and staff of a pilgrim he left the kingdom. As soon as William heard he had passed the sea, he ordered his goods and revenues to be all brought into the exchequer.

Ædm. hist.
nov. l. ii.
p. 43.

When Anselm had travelled as far as Lions, he wrote a letter to the pope, in which he set forth, how much against his own will he had been made archbishop of Canterbury, how unfit he found himself for it, and how many troubles he had endured in it, without having ever been able to do any good; insomuch that, out of regard to the peace of his conscience and safety of his soul, he would rather chuse to die abroad, than live any longer in England, seeing many evils which he ought not to tolerate and could not correct. He then complained of the king, not only for keeping the vacant sees too long in his hands, and giving to his soldiers the lands of the church, but for exacting from him *grievous services unknown to his predecessors*, and overturning *the law of God and canonical and apostolical authority by his arbitrary customs.* The *services* which William exacted; and Anselm branded, as contrary to the divine law and the canons, were those required of the bishops in right of their baronies; which, though they had been *unknown* to their Saxon predecessors, were now an
esta-

established part of the English constitution. And therefore to appeal against them to the papal authority was an act of high treason, as it subjected the legislature of England to that authority in a matter of state. William Rufus indeed had extended his demands in several articles, beyond the bounds assigned by the legislature: but Anselm's complaint (as appears by the words of it) was no less against the military services, enacted by parliament in the foregoing reign, than the illegal exactions of the present king: and the foundation of it was a supposed contrariety to the law of God, not to the law of the land. Having thus mentioned these services among the abuses he desired to reform, and having acquainted the pope, that, in order to ask his advice upon the difficulties he found himself in, he had applied for the king's permission to go to Rome, but had been refused, and had gone, notwithstanding that prohibition, he concluded his letter with two requests; first, that the pope would be pleased to release him from his archbishoprick, in which, he said, he despaired of doing his duty or saving his soul; secondly, that his Holiness would take care of the church of England, by his own prudence, and by the authority of the apostolical see.

From the whole turn of this letter, as well as from the character he always maintained, there is reason to believe, that he was an honest and pious, but narrow minded man, who acted purely from a misguided conscience, according to the divinity then taught in the schools, which he understood better than either the principles of civil government, or the constitution of England. And it grieves one to see so much spirit and resolution so ill employed. But it was one of the greatest misfortunes, attending the corrupted state of religion, in those times and long afterwards, that piety and virtue were drawn from their natural and proper

course : so that men of the best dispositions were often made instruments of pernicious designs ; and was not only deprived of the benefit which it would have had from their goodness, but frequently suffered by it, in proportion to the power with which they were armed.

Eadm. hist.
nov. l. ii. p.
48, 49, 50,
51, 52.

After some stay in France, Anselm went to Rome, where he was received with great and extraordinary honours, as primate of England, and as the pope's faithful champion and martyr ; besides the regard that was paid to him on account of his learning, in which he was eminent above most of that age. Rome was indeed the proper place of abode for one of his character ; and he was so sensible himself of his unsuitness for the world, so weary of England, and so desirous of a monastick retreat, that he again most earnestly begged of the pope, to give him leave to resign his archbishoprick, as a burthen that was too heavy for him to bear. His Holiness would not consent to dismiss from his service so approved and useful a servant : but ordered him to attend at the council of Bari, which he had then called, and promised him there a full redress of all grievances, as well with regard to the church, as to himself. The council, in fact, was so offended at the conduct of William, that he would have been excommunicated by it, if the archbishop himself had not fallen on his knees before the pope, and interceded with him for a delay of the sentence. On that pontiff's return to Rome, a minister came to him there, with an answer to letters he had sent to the king of England some time before, requiring him to restore the archbishop's goods, which he had seized. The answer was only, that he was astonished at such a demand from his Holiness ; as he had done nothing but what he was by law impowered to do, upon that prelate's having presumed to go out of his kingdom without his leave.

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The pope asked if the king accused the archbishop of any other offence? and being told he did not, he said, it was a strange and unheard of proceeding, that a primate should be thus despoiled of his goods, because he would not omit to visit that church which was the mother of all churches; and expressing his wonder, that William should send a minister to him, with no better a justification of what he had done, bid him return, and let his master know, that, if he did not make a full restitution of all he had taken from Anselm before the next Easter, a sentence of excommunication would be then passed against him, in a council which was appointed to be held at that time in the city of Rome. The envoy begged of his Holiness, that, before he departed, he might be admitted to a secret conference; which being granted, he found means to obtain for his master a further delay, till the Michaelmas following; before which the pope died; and Anselm remained in exile, with only the name of archbishop of Canterbury, till the death of the king; which happened, however, within less than a year after that of Urban. So well did William Rufus maintain those prerogatives, which were the great barriers set up in this kingdom against the encreasing ambition of the see of Rome, and which Henry the Second confirmed by the constitutions of Clarendon! But the contest was easier in the beginning of the papal encroachments upon the rights of the English crown, than when they had gained that strength and authority, which, to the shame of human reason, they soon acquired.

A very fortunate incident in favour of William was the design formed by Urban, of uniting all Christendom in that marvellous league, called the *Holy War*, or *Crusade*, for the recovery of Jerusalem and the tomb of our Saviour out of the hands of Mahometans; a design, which obliged the pro-

Sim. Du-
nelm. Ord.
Vit. l. ix. p.
724. sub
ann. 1096.

jector to raise no disturbances in the dominions of any Christian prince, and of too much use to the papacy to be then interrupted by any other object. Nor was the quiet he gained by it the only advantage this able monarch drew from it. He had too much sense, or, perhaps, too little devotion to engage in it himself: but his brother Robert going into it with ardour, and wanting more money, to enable him to bear so great an expence, than his own exhausted exchequer could supply, William agreed to furnish him with ten thousand marks, equivalent to a hundred thousand pounds in these days, by the help of a tax or benevolence, illegally raised upon his English subjects; and in pledge for the repayment of it got full possession of the dutchy of Normandy, great part of which, either by intrigues, or by force, he had taken from his brother before this event.

The share the clergy bore of this tax was so heavy upon them, or they were so unwilling to bear it, that the bishops and abbots came to court, in order to make their complaints and beg some relief, declaring it was impossible for them to pay it, without ruining their farmers already impoverished by former exactions, and absolutely driving them out of the kingdom. The king's ministers asked, whether they had no caskets of silver and gold full of the bones of dead men; (meaning the relicks of saints preserved in their churches) and with that question dismissed them. Upon which, most of the plate and valuable ornaments of the churches were sold, in order to raise this supply. The king thought himself happy to obtain by such means the possession of Normandy, hoping that Robert would never return from the East, but either die or settle there, and leave him the dutchy. This acquisition, instead of contenting his insatiable ambition, opened to him other and greater views,

views. Abbot Suger, first minister to Louis le Gros, says, it was commonly reported in France, that William aspired to secure to himself the eventual succession to the crown of that kingdom, in case that Louis, who had then no issue, and, probably, was thought not likely to live, should die before his father King Philip; the two sons of that monarch by Bertrade of Anjou being regarded as spurious. And from Suger's expressions it is plain that he himself believed this report. He adds, that, after William had violently agitated himself and his people, for three years together, in pursuing this hope, he gave it up, finding both nations equally averse to him in it: "Because" (says that author) it is not agreeable to nature or reason, that either the English should be subject to the French, or the French to the English." But fortune, as if to comfort him for this disappointment, presented to him immediately another great object.

V. Suger in Vit. Ludov. Grossi Regis, c. i.

William the Eighth, duke of Aquitaine who went to the holy war four years after Robert, and wanted money no less than he, treated with William Rufus to obtain a supply upon the same terms, that is, by mortgaging his duchy to him. The agreement was made; and the king would have been soon in possession of Aquitaine, as well as of Normandy, if, in the midst of his projects, and in the height of his glory, while his heart was dilated with the greatest excess of arrogance and presumption, a sudden and violent death had not deprived him of all his dominions, and laid him on the earth an example to mankind of the vanity of ambition.

V. Malmfb. l. iv. de W. II. f. 71. Huntingdon. lib. ann. 1100.

It is not certainly known by what means he died. The received opinion is, that as he was hunting in the new forest with Sir Walter Tyrrel, a French knight of Pontoise, whom he had lately entertained in his court, an arrow shot at a deer

V. autores citatos ut supra: et S. Dunelm. et Flor. Wicgorn. sub eodem ann.

V. Eadmer.
hist. nov.
p. 54. l. ii.

V. Suger in
vit. Lud.
Grossi Regis,
c. i.

V. Joan.
Sarisb. par.
ii. de vita
Anselm arch.
Cantuar.
c. xii.

by that gentleman struck him in the breast, and pierced his heart. But Eadmer, a contemporary writer, informs us, it was the more general belief of those times, that he accidentally stumbled, with an arrow in his hand, and falling upon it drove the point through his own breast. We are also told by Abbot Suger, that he had often heard Sir Walter Tyrrel affirm with the most solemn oaths, at a time when he had nothing to hope or fear on this account, that he did not come all that day into the part of the forest, where the king hunted, or see him there. And John of Salisbury, comparing the death of Julian the Apostate with that of this monarch, says it was equally doubtful, at the time when he wrote, by whom either of them was killed. Perhaps the arrow that slew William Rufus was neither his own, nor Tyrrel's; but came from the hand of some other person unknown, who was instigated to aim it at the breast of the king by private revenge for a private wrong. The reputation of his successor, I think, is too good to admit of a suspicion, which might otherwise be conceived, that he knew better than the public how his brother was slain.

As Tyrrel was much in favour with William Rufus, he could not have any personal malice against him; nor do I find it intimated by any historian, that he ever received any advantage from his death: and therefore if he was really the person who killed him, one can hardly imagine that it was by design. His flight indeed may seem to fix the deed upon him; nor does his perseverance in denying it afterwards amount to a proof of his not having done it; because he might think, with good reason, that it could never be prudent or even safe to confess it in any situation. If he could have shewn, by any other testimony than his own word, that he was in another part of the forest during the whole time of the king's being there,

there, there would have been no necessity for his quitting the kingdom : but, as it might be difficult to make that appear, the mere apprehension of being brought into trouble and danger about it might occasion his flight. It seems evident that the king had no other attendants at the time when he received the fatal wound ; for, otherwise, the means by which he received it could not have been doubtful. The wood of the arrow was broken down to the place where it entered the flesh, probably by his own hand in endeavouring to draw it out ; but the iron point remained deeply fixed in his breast. Some colliers, who happened then to pass through the forest, saw the corpse of their dead sovereign, and put it, still bleeding, into a cart they had with them, which brought it to Winchester, where it was hastily buried, without any royal pomp, or even a decent attendance, on the following day.

The character of this king has been too much depreciated by many historians. It was, no doubt, very faulty ; yet, notwithstanding all his faults, he was a great man. In magnanimity, the first of royal virtues, no prince ever excelled him, and few have equalled. For proof of this I shall here relate some particular facts, which I could not so properly mention in giving a general view of this reign. While he was besieging Mont St. Michel, a fortress in Normandy, which was held against him by Henry, his younger brother, a small party of horse belonging to the garrison approached near his camp ; at the sight of which being transported by the ardour of his courage, he furiously advanced before his own troops, and charged into the midst of them. His horse was killed under him, and the soldier, who had dismounted him, not knowing who he was, dragged him by the foot on the ground, and was going to slay him, if he had not stopped the blow, by saying to him,

v. Malmsh.
l. iv. de W.
II. f. 68.

with a tone of command, not supplication, *Rascal, lift me up: I am the king of England.* At these words, all the soldiers of prince Henry, his brother, were struck with awe, and reverently raising him up from the earth brought him another horse. By this time his own troops were come to his assistance, and so greatly out-numbered the forces of the enemy, that these could make no resistance, much less carry off the king as their prisoner. William, who saw himself safe, vaulted instantly into the saddle, and casting his eyes, that sparkled with fire, all round about him, asked, who it was that had unhorsed him? For some time all were silent: but, at last, he who did it answered, *It was I, who did not think that you were a king, but an ordinary knight.* By the face of our Lord, replied the king with a smile, *thou shalt henceforth be my soldier, and receive from me the recompense which thy valour deserves.* But a still nobler instance of his magnanimity is the answer he made to a bravado of the earl of la Flesche. That lord, his competitor for the earldom of Maine, being taken prisoner by him and received with an insult, said, with a spirit superior to fortune, *an accident has made me your captive; but could I recover my liberty I know what I should do. You know what you should do!* replied William. *Begone; I give you leave to do your utmost: and, I swear to you, that if you overcome me hereafter, I will ask no return from you for having thus set you free.* With these words he dismissed him: an action of heroism that would have done honour to Cæsar, *whose soul* (says one of the best of our ancient historians) *seems to have transmigrated into this king.* He likewise acted and spoke in the spirit of that Roman, when, from his ardour to relieve the city of Mans, besieged by the earl of la Flesche, he passed the sea in a violent tempest, saying to the sailors who warned him of the danger, *that he never had heard of any king having been drowned.*

See Malmsh.
de Will. II.
l. iv. f. 67,
69, 70.

Malmsh. f.
70. ibidem.

drowned. Nor did he less resemble Cæsar in liberality, than in courage, and greatness of mind. He gave without measure, but never without choice; distinguishing merit and fixing it in his service by means of his bounty; that merit especially which was the most necessary to support his ambition, and of which he could best judge, eminent valour and military talents. In the magnificence of his court and buildings he much exceeded any king of that age. But though his immense profuseness arose from a noble and generous nature, it must be accounted rather a vice than a virtue; as, to supply the unbounded extent of it, he was very rapacious. If he had lived long, his expences would have undone him: for he had not, as Cæsar had, the treasures of the world to support his extravagance; and it had brought him some years before his death into such difficulties, that, even if his temper had not been despotick, his necessities would have made him a tyrant.

Suger in vi-
ta Lud.
Grossi.

Malmsh. l.
iv. f. 69.

His soul was all fire, perpetually in action, undaunted with danger, unwearied with application, pursuing pleasure with as much ardour as business, but never sacrificing business to pleasure; addicted to women, yet without any tenderness or fixed attachment, rather from a spirit of debauchery than from the passion of love. He had many *concubines*, but no *mistress*; and never would marry, for fear of subjecting himself by it to any restraint.

Ord. Vit.
p. 763. l. x.
Gul. Neubrigent. p.
358. sub
ann. 1087.

Nevertheless, the vivacity of his temper and the quickness of his parts were balanced by the solidity and the strength of his judgment; so that, although he was very eager in all his pursuits, he directed them with great prudence, excelling still more in policy than in arms. He had indeed no tincture of learning; but he had studied mankind, and knew them well, under any disguises; covering himself with a deep dissimulation, where it

Malmsh. l.
iv. de Gul.
II. f. 67, 69,
70. Ord.
Vit. p. 680.

was

was necessary, and the more dangerous in it from an appearance of openness, heat, and passion; imperious and absolute, so as to endure no contradiction or stop to his will, when he had power enough to enforce obedience, but pliant and soothing when he wanted that power: in publick maintaining his majesty, not only with state, but with pride; yet in private, among his friends, and those whom he admitted to a familiarity with him, easy, good-humoured, and often more witty than is proper for a king.

His person was disagreeable, and his elocution ungraceful: notwithstanding which imperfections he carried all points he had at heart, more by the arts of insinuation and address than by force.

Considering how much he owed to the clergy in obtaining his crown, it is no little proof of uncommon abilities, that he wore it without any dependence upon them, and entirely subjected their power to his own. But not content to govern the church, he tyrannized over it, as he did over the state. Nor would he constrain himself to that outward shew of reverence for ecclesiasticks, which his father had always paid to them, even while he oppressed them: and this was certainly one principal cause, why the monks, who have transmitted his character to us, accuse him so heavily of being irreligious. That all the strange stories, related by those historians, of his open impiety, are strictly true, it is hard to believe; because one would imagine that his good sense alone must have taught him some respect for the forms of religion, in an age, which demanded *that*, and demanded *no more*. Yet though the charge may have been aggravated, it was not wholly groundless. His mind was too penetrating not to see the depravity of what was then called religion, and his heart was too corrupt to seek for a better. We are told indeed that, in a dangerous fit of sickness, he expressed

See Eadmer, hist. nov. l. ii. p. 47, 48. See Malmsh. f. 69. de Will. II.

pressed remorse for the offences of his past life, and promised amendment; which shews at least that he had in him no settled principle of absolute infidelity: but he had not any such steady sentiments of faith or piety, as could be a restraint on his passions. So that the impressions made in his illness were soon effaced by the return of his health. There was also a levity and petulance in his wit, which often gave his conversation an air of profaneness beyond what he seriously thought or meant. He paid so little respect to the oaths he had taken, that he seemed to consider them as mere forms of state, or arts which policy might employ and dispense with at pleasure. All his vices were publick, and he did infinitely more harm by the bad example he gave, and the indulgence he shewed to the enormities of others, than by his own. He not only tolerated, but encouraged in his court, and (what was yet worse) in his army, the most unbridled profligacy of manners; relaxing all discipline, civil or military; and hardly punishing any crimes, but rebellions and treasons against himself, or the breach of the forest laws, which had been made by his father, and of which he had solemnly promised a remission to his subjects. These he enforced with a cruel rigour; but other offences were either winked at, or the offender bought off the punishment. So that the misery of England was compleat in this reign: for the nation was now a prey to licentiousness, as much as to tyranny, suffering at once the disorders of anarchy and the oppressions of arbitrary power. The army of William the First had been under the curb of a strict discipline; but that of William Rufus, like a wild beast unchained, was let loose to infest his peaceful subjects. The young nobility were bred up in debauchery; luxurious, effeminate, and guilty even of lusts which nature abhors;

See Hen-
tingd. f.
216. l. vii.
Neubrigen-
za. Malin
f. 69, 70,
71. l. iv.

hous; despisers of order, law, morality, and no less proud of their vices than of their birth. But happily the life of this prince was too short to extend the corruption to the body of the people; and therefore the common-wealth recovered again, when the succeeding monarch applied to it such remedies of wholesome severity, as the distempers contracted by it required.

A. D. 1100.
Hen. I.

At the death of William Rufus, his brother Duke Robert was in Apulia, upon his return from Jerusalem, in the conquest of which he had done very great actions, and gained a reputation for valour and conduct, equal, if not superior, to that of any of the princes associated with him. But that he was offered the kingdom of Palestine and refused to accept it, as William of Malmshury and some others have pretended, I very much doubt: for no mention is made of it by any of the writers who were then present there, or by William archbishop of Tyre, the best informed of all those who afterwards treated that subject. In the account the latter gives of Godfrey's election, he says indeed, that most of the nobles inclined to chuse the earl of Toulouse; but takes no notice of Robert, as having been thought in competition with Godfrey; which he would not have omitted, had there been any foundation for such a report.

See Malmsh.
f. 86. l. iv.
See Petri
Tudebodi
hist. de Hi-
erosol. itin.
l. v. et Pul-
cherii Car-
not. hist.
Hierosol. l.
1. sub ann.
1099.
Gul. Tyrus
de bell. sacr.
l. ix. c. 2.

Malmsh.
f. 86. l. iv.

As this prince was returning home, he stopped in Apulia, and married there Sibylla, the daughter of the earl of Conversana, a Norman nobleman of the family of the brave Robert Guiscard. She was the most celebrated beauty in Europe, and brought him for her portion a great sum of money, with which he proposed to redeem his dutchy of Normandy, mortgaged to William Rufus. But in the mean time that king was slain, and Henry his youngest brother, being present in England, aspired to the crown. This prince had received in his youth

Malmsh. l.
v. f. 87, 88.

youth such a tincture of learning, that he got the name of *Beauclerc*, a title very extraordinary for any lay-man, but much more for the son of a great king, to obtain, in that ignorant age. This was no mean endowment, and he made a good use of it: but he had others still more valuable, great natural strength and soundness of mind, a cool head, a firm heart, activity, steadiness, knowledge of business, of war, and of mankind. After the death of his father he had been very ill-treated by both his brothers: for Robert had taken from him, without asking his consent, and while he was absent on the service of that prince himself, a large sum of money, which, with the lands that had belonged to his mother in England, was his whole portion; and had applied it to pay some mercenaries, hired against William Rufus: but, afterwards, when he had made his peace with that king, Henry obtained of him, by way of compensation, a third part of Normandy; that is (I suppose) a feudal grant thereof, under homage and fealty; not as a distinct and separate state. This having ended their quarrel, Henry went into England, to solicit William Rufus for his mother's lands. The king received him with kindness; and made him fair promises; but yet he did not give him the estate he demanded, having disposed of it to one of his favourite barons. Nevertheless the duke of Normandy conceived so much jealousy of Henry's having intrigued with that prince to his prejudice, that, upon his return into Normandy, he shut him up in the castle of Rouen, and kept him there half a year: after which being set free, he returned into England, upon an invitation from William, but could not obtain the estate he claimed: so that being disgusted with him no less than with Robert, he went back into Normandy, and trusting to neither, resolved to do himself right. With this intention, and by the help of some friends,

Ord. Vit.
l. viii. p.
665. 672.
689, 690,
691. 697.

See Ingulph.
sub ann.
1087.
Malmsh. l.
v. f. 87, 88.

Vid. au-
thores cita-
tos ut supra.

friends, he possessed himself of Avranches and several other towns, which were part of the mortgage assigned to him before. But Robert having discovered a conspiracy formed by some of the Normans, to deliver the city of Rouen, and his person itself, into the hands of William Rufus, had recourse to Henry, and asked his assistance against the perfidy of their brother. That prince might have been justified in rejecting his suit; but he granted it frankly, with a noble forgiveness of all his former injuries; and served him so well, that having defeated the rebels, he took the chief of them prisoner, and, without further process, threw him down headlong, from one of the windows of the high tower of Rouen, with his own hands; saying, that mercy was to be shewn to fair enemies, but that a vassal guilty of treason ought to be put to death, without being allowed a moment's respite. Whatever justice there might be in this act, it would have been much better executed by other hands, and by due course of law; but he was apprehensive, that, if any time should be given to the traitor, it would be employed to procure a pardon from Robert, who by the excess of his lenity perpetually endangered himself and his subjects. One should have supposed that such a service, so generously performed, would have secured him from any hostilities on the part of the duke of Normandy. But the sentiments of that prince were in the power of his favourites, by whose advice he soon afterwards joined with William Rufus, to make war upon Henry, and strip him of all that he possessed in the duchy. Henry stood a siege in the strong fort of Mont. St. Michael; but after a brave resistance, which raised his reputation, he was obliged to surrender it, upon no better conditions than safety and freedom to himself and his garrison, which were willingly granted.

granted. It is said, that during the siege, being in great want of water, he sent to Robert, and told him, it was impious in his own brothers, to deprive him of a benefit common to all mankind; and that they ought to endeavour to overcome him by valour, not by means which could do them no honour. Upon this message, the duke permitted him to take the water he wanted, which William reproaching him for, as a weak and ill-timed concession, *How am I to blame?* answered he; *should I have suffered our brother to die of thirst? what other have we, if we had lost him?* Words that were much celebrated at that time in the world, as shewing an excellent nature. But William derided his easiness, as proceeding from folly rather than goodness. Indeed it was not to be thought, that Henry would have obstinately perished by thirst, rather than surrender the fort to his brothers: and therefore Robert, by this indulgence, only protracted the siege, and gave him the means of capitulating on better terms.

Vid. auctores citatos ut supra.

Being now deprived of all his possessions, the persecuted prince took refuge in Bretagne, and then in the French Vexin: where having remained about a year, he again thought it necessary to change his abode, and wandered over the provinces of France, with only one knight, a chaplain, and three squires, attending upon him, exposed to all the hardships of want, and learning in adversity patience and fortitude, virtues which he could not so perfectly have acquired, if he had been always nursed up in the favours of fortune. But while he was oppressed by his brothers, and reduced to a state so much below his birth and merit, the citizens of Dumfries, incensed against their lord, Robert de Belesme, earl of Shrewsbury, who had most grievously tyrannized over them, and convinced that they should obtain no redress from Duke Robert, did themselves justice, expelled the

Ord. Vital.
l. viii.
p. 698. 706.

Ord. Vit.
l. x. p. 782,
783.
Malmfb.
l. v. f. 88.
Huntingd.
fuh ann.
1100.

earl, and offered their town, one of the strongest in Normandy, to the exiled prince. He accepted their offer, and, with the assistance they gave him, made for some time a successful war against both his brothers, who then had agreed to share the duchy between them: but when the duke took the cross, a reconciliation ensued between William and Henry, the former consenting to confirm to the latter all that he had gained. After this they went to England; most fortunately for Henry; who being in another part of the forest when his brother was killed, as soon as the news was brought to him, lost not a moment; but taking advantage of Robert's absence laid claim to the crown, and going directly to the castle of Winchester, where the *regalia* were kept, demanded the keys. William de Breteuil, to whose custody the late king had entrusted the castle and royal treasure, stoutly resisted him, told him that Robert was his elder brother, reminded him of the homage they both had done to that prince, and said, that they ought to preserve their fidelity to him, absent as well as present; especially when his absence was occasioned by his zeal for the service of God. The dispute growing warm, and many of the barons and people gathering round them, Henry drew his sword; whereupon all the chief counsellors of the late king, particularly the two earls of Meulant and Warwick, men of the greatest authority in the nation, interposed, and prevailed on William de Breteuil to submit. Having carried this point, and seen his brother's corpse interred, which was done the next day, Henry hastened to London, where he was elected king of England by the great council, and was crowned in Westminster Abbey on the following Sunday, being the fifth day of August, in the year of our Lord eleven hundred.

The

The sudden and easy consent of the Normans and English to this revolution, by which duke Robert was again set aside from the throne of this kingdom, and at a time when the great honour he had gained in the holy war was fresh in the minds of men, appears somewhat surprising. As the death of William Rufus was an event quite unexpected, Henry had not thought of forming any faction. The treasure left by his brother could not go far in purchasing friends for him, as that king was too profuse to have much in store : nor is it said by any writer who lived in those times that he owed his election to bribes. But it was a great advantage to him, that those who had been warmest in supporting William Rufus against Robert in England had reason to apprehend the resentment of the latter ; which must have rendered them unwilling to trust him with power ; and the manner in which he had governed the dutchy of Normandy afforded a strong presumption of his unfitness to govern England. Henry had shewn great talents for government ; and some stress was laid on the circumstance of his having been born in England, after his father was king. Yet he saw that the surest method to conciliate to himself the favour of the nation, would be the holding out to them such national benefits as should make his interest that of the public. Their submission under the tyranny of the two first Norman kings had been owing to circumstances of a transient nature, not to any rooted and permanent cause. They still retained a passion for liberty natural alike to the Normans and to the English. In the present conjuncture, their mutual distrust and fear of each other, which had been the principal reason that hindered their uniting in defence of their privileges, gave way to a strong and equal desire in both, of reducing the royal authority to such limitations, as, without destroying the feudal system establish-

v. Malmsh.
l. i. f. 87.

ed in England by William the first, from which the Norman nobility could not be inclined at this time to depart, might alleviate the heavy burthens with which it was loaded, and put an end to that despotism, which was no less insupportable to the great Norman lords, than to the inferior gentry and commons of England. So strong was this desire, that neither the *eldership*, of the duke of Normandy, which, though it did not, in those days, convey an *absolute right* to the crown, was yet a *powerful recommendation*, nor a solemn treaty, made with that prince, and confirmed by the barons, which had settled the crown upon him, if William should die without a son, nor his meritorious and honourable share in the conquest of Palestine, could stand in competition with the offer of Henry, to abolish all the evil customs that had prevailed in the late reign, and to establish in the realm the best laws, that had ever been given, under any of the kings, his predecessors. This, together with the reasons assigned before, raised this prince to the throne, in prejudice to his brother, whose legal title to it could not be disputed. For, whatever right of *election* might be in the parliament, that right was barred by the above-mentioned treaty. But in vain did a few Normans, more regardful of justice and of good faith than the rest, or more attached by their own interest to the party of Robert, strongly protest against this act. The nation resolved to give the crown to a prince, who should acquire and hold it under no other claim than a *compact* with his people: and though it would be difficult to justify their proceeding, either in conscience, or law, their policy may perhaps be accounted not unwise; as it made the title of the king become security for the liberty of the subject. To give that liberty a more solid and lasting establishment, they demanded a *charter*; which Henry granted soon after his coronation, as

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See Flor.
Wigorn.
sub ann.
1091.

Chron. Sax.
sub ann.
1100.
Matt. Paris,
sub eodem
anno, p. 38.

Ord. Vit. et
Matt. Paris,
sub ann.
1100.

he had sworn to do before he was crowned. By this he restored the Saxon laws which were in use under Edward the confessor, but with such alterations, or (as he styled them) *emendations*, as had been made in them by his father with the advice of his parliament; at the same time annulling all evil customs and illegal exactions, by which the realm had been unjustly oppressed. Some of those grievances were specified in the charter, and the redress of them was there expressly enacted. It also contained very considerable mitigations of those feudal rights, claimed by the king over his tenants, and by them over theirs, which either were the most burthensome in their own nature, or had been made so by an abusive extension. In short, all the liberty, that could well be consistent with the safety and interest of the lord in his fief, was allowed to the vassal by this charter, and the profits due to the former were settled according to a determined and moderate rule of law. To use the words of one of our greatest antiquaries, Sir Henry Spelman, *It was the original of King John's Magna Charta, containing most of the articles of it, either particularly expressed, or in general, under the confirmation it gives to the laws of Edward the Confessor.* So mistaken are they, who have supposed that all the privileges granted in *Magna Charta* were innovations extorted by the arms of rebels from King John! a notion which seems to have been first taken up, not so much out of ignorance, as from a base motive of adulation to some of our princes in latter times, who, endeavouring to grasp at absolute power, were desirous of any pretence to consider these laws, which stood in their way, as violent encroachments made by the barons on the ancient rights of the crown: whereas they were in reality restitutions and sanctions of ancient rights enjoyed by the nobility and people of England in former reigns; or limitations of powers which the king

Hagustald.
P. 310, 311.

See the
charter in
the Appen-
dix.

See Spelman's glossary under the words Magna Charta.

king had illegally and arbitrarily stretched beyond their due bounds. In some respects this charter of Henry the First was more advantageous to liberty, than *Magna Charta* itself.

Nor was it only the sovereign and his subjects, who were thus linked together by this great bond of mutual obligation. From the obtaining of this charter must be dated the union of the Normans with the English, whose interests blended in it were for the future inseparably joined under one common claim of national rights. But no laws or privileges can make a people free, if the administration and spirit of government be not in general suitable to them. The conduct of Henry entirely corresponded with his engagements. He took off from his subjects all the burthens that had been illegally imposed upon them; he remitted all the debts that were due to the crown; and (what was more popular still) he punished all those who had made themselves odious by an abuse of their power, particularly Ralph Flambard, justiciary of England, and bishop of Durham; the most acceptable sacrifice he could make to the publick resentment. At the same time that he imprisoned this prelate by the advice of his parliament, he recalled Anselm, and set him at the head of his ministry. This was an act very agreeable, not only to Rome and the clergy, whom it was necessary for him to court at that time, but to the whole English nation, whose favour Anselm had gained by having lost that of William, and who were then in a temper which inclined them to think, that whoever had suffered under the reign of that prince had suffered *for them*. Yet though Henry was willing to comply with their humour in this particular, he was far from intending to purchase the archbishop's friendship by giving up the rights of his crown, which the intemperate zeal of that prelate had disputed. For he knew how to distinguish
between

Hagustald.
p. 310, 311.
Ord. Vit. l.
x. sub ann.
1100.
Chron. Sax.
Malmfb.
Eadm. sub
eodem anno.
See also
epist. Pas-
chalis in
Eadmero.
p. 63. l. iii.

between those abuses, which the clergy had justly complained of, under the government of his brother, and the due exercise of the royal authority: the former he redressed, by filling immediately, and without suspicion of simony, the several sees that were vacant at his accession to the crown, as well as by freeing the church from all arbitrary and oppressive exactions; but the latter he asserted, on many occasions, with spirit and firmness, and was supported in it by his parliament with the concurrence and assent of the English bishops themselves. To gain the affections of the city of London, he gave them a charter, confirming to them the benefits granted by his father, with some very considerable additional favours. It was indeed so advantageous, that we need no better proof, how great the importance of that city then was, and how necessary he thought it to secure all the strength and influence of it to his own party. He crowned the whole by marrying Matilda daughter of Malcolm the Third, king of Scotland, by the sister of Edgar Atheling: of which lady some account has been given before: a match that restored the crown of this kingdom to the Saxon royal blood, and united the king and his family after him to the people of England, by the most natural and pleasing tie, without which the coalition of the two nations must have been always imperfect.

See Maitland's hist. of Lond. l. i. p. 29, 30.

Vid. author. res citat. ut supra.

Yet, though this able prince had thus taken all methods that wisdom could dictate, to keep himself firm in the throne he had ascended, he was soon in great danger of being expelled from it, by the defection of most of the Norman barons in England, upon the return of his brother from the East. As no reason appears why they should more distrust his sincerity, in the promises he had made and confirmed to them by a charter, or set less value upon them now, than they had done when they unanimously gave him the crown; especially as his go-

Ord. Vital. Sax. Chron. Eadmer. et Malmfb. sub ann. 1101.

vernment had hitherto answered all they could reasonably expect or desire ; it is not easy to account for this sudden revolt. The most probable cause of it appears to be this : When they elected him king of England, they hoped he would be able to make himself master of Normandy too, before Duke Robert should return to resume his authority there : but that prince unexpectedly coming back within a month after Henry was crowned, and being received in that dutchy without the least opposition, those hopes were defeated : the consequence of which was, that the Normans in England, who had fiefs under him, apprehending the loss of them for what they had done against him, began to repent of it ; and, being all men of great power, had influence enough over most of their countrymen, to prevail upon them also to take part with Robert. But the English, attached to Henry, by his marriage with a princess of their own nation, as well as by his charter, and having no estates to forfeit abroad, adhered to him firmly ; and the whole clergy was fixed to his side by the mediation of Anselm. That prelate, whose affections he had thoroughly gained, by recalling him from his exile, and promising to govern the church by his counsels, served him with a zeal that overlooked all objections, and bore down all opposition. Many barons, who had left him, were brought back again ; the wavering were stopped ; and the most determined adherents of Robert were intimidated by the resolution of the English, a great army of whom supported Henry in this quarrel, and braved the duke at the head of his Normans : while the archbishop of Canterbury employed his spiritual arms, and denounced the heaviest censures of the church against any, who should continue to oppose a king in whose title he saw no defect ; either not being so scrupulous in civil affairs, as he was where the interests of the church

Ead. hist.
nov.
Ord. Vit.
Sax. Chron.
Huntingd.
et Malmsh.
sub ann.
1101.

church were concerned, or rather believing that a warm regard for those interests ought to be the only rule of his conduct. Eadmer affirms, that the fear of excommunication greatly affected Duke Robert himself, and that he consented to treat with his brother chiefly on this account. But whether he yielded to Anselm's threats, or whether the love of ease and pleasure, which now possessed his whole mind, made him desirous of peace on any conditions, certain it is that he did nothing worthy of his former courage and reputation; but yielded the crown, which he came over to claim, without so much as fighting a battle. All he obtained in recompence for it was a moderate annual pension (which he gave up the next year to Henry's queen) and the towns which that king was possessed of in Normandy, except only Dumfront, which Henry would not relinquish, alledging that he had given his word to the citizens, never to part with it, nor suffer their laws to be changed. The same stipulation was renewed in this treaty, as had been made in the former between Robert and William, that, if either he or his brother should die without leaving a lawful heir, the survivor should have a right of succession to all the dominions of both; and this convention was sworn to, as the former had been, by twelve of the principal barons of each party. Archbishop Anselm also engaged himself as surety for Henry, that he should govern according to his charter, which was indeed his best title, and better than any hereditary right in a prince who does not so govern. It was farther agreed, between the two princes, that all honours and lands, confiscated either in England or Normandy on account of this war, should be reciprocally restored to their former possessors; which eased the nobles here, who had hitherto been under Robert, from that apprehension of being deprived of them for their adherence to Henry,

Ord. Vit. l.
xi. from p.
804. to p.
809.
Malmfbury.

which had been the great cause of their unprovoked revolt. Thus advantageously did this king secure to himself the crown he had gained; and not long afterwards, feeling his strength, he ventured to prosecute, and punish by fines, confiscations, or banishments, all the most active and powerful abettors of Robert's invasion. But he did it at different times, and under the colour of other offences, that he might not appear to infringe the indemnity he had granted. Yet it was well understood; and the terror it gave deterred all his subjects from conspiring any more in behalf of his brother, who, from the weakness of his conduct in this attempt, and the subsequent ruin of his friends, became despicable to the whole nation. Most of the barons so punished were of the first rank in power and wealth, whose vast estates Henry divided among several persons, of lower birth, but good parts, who had shewn themselves zealously attached to his service, and by raising whom he balanced the greatness of the nobility established by his father, which was an object of jealousy to the crown. He observed the same policy, in his whole government, depressing those who were dangerously powerful as much as he could, and advancing his own creatures at their expence: yet he did it so artfully, as to avoid any acts, which they could make the foundation of a public complaint, with the law on their side; and against their secret resentments the friendship of the commons, which he particularly courted, kept him always secure.

See R. Hagustald. de gest. reg. Steph. p. 509. sub ann. 1135.

Malmfb. l. v. de Hen. l. f. 89. sect. 5c.

Another great support of his government was the strict care with which he administered justice to his people. He made war upon vice, and thought the subduing of it within his realm, as far as the fear of punishment can subdue it, the noblest triumph a king could obtain. But it was not only vice that he had to contend with. Even the virtues of a bigot are sometimes as dangerous to the
peace

peace of a kingdom as the most profligate crimes. This Henry experienced in the conduct of Anselm. That prelate whose religion was ever at variance with his civil duties, had, during his exile, assisted at Rome in a council held there, by which all lay investitures were strictly forbidden, and excommunication was denounced against those who should either give, or receive them, or consecrate any to whom they had been given; and, to complete the independence of the church on the state, the same sentence was likewise extended to churchmen who should do homage to princes, *because* (as the pope declared in that council) *it was a most execrable thing, that those hands which had received such eminent power, above what had been granted to the angels themselves, as by their ministry to create God the creator of all, and offer up the same God, before the face of God the father, for the redemption and salvation of the whole world, should descend to such ignominy, as to be put, in sign of subjection, into the hands of princes, which were daily and nightly polluted with obscenity, rapine, and blood.* Upon the strength of this reason and the decree of the council, which had no better foundation, the pious archbishop, when recalled by king Henry, refused to do him homage. This incident not a little embarrassed that prince. Anselm was then very necessary to him, and a quarrel between them might have been very dangerous, while his power in England was new, and not fully settled. On the other hand, he was sensible, that the right of the crown in this point was of too much importance to be relinquished. His father and his brother had firmly maintained it against Gregory the Seventh and his successors hitherto, nor had any of their bishops denied it before. Even Anselm himself submitted to it without the least opposition, when he was promoted to Canterbury in the late reign: so that Henry, when he recalled him, had no apprehension

Edm. i. 1st.
nov. l. ii.
p. 53:

Malmsh. de
gest. pont.
Ang. l. i. f.
124. § 20.

sion

Eadm.

Id. p. 59,
60, 61.Brompton
chron. p.
999.

Eadm., p. 63.

Idem, from
p. 69 to 91.

sion of this dispute, and it now came upon him at a very improper season. Under this difficulty he condescended so far, as to apply to the pope for an acknowledgment of the rights of his crown; or rather he tried to gain time: for he was not ignorant what answer he was to expect. In return to his embassy Paschal the Second sent him a long epistle, in which to many other strange arguments and most impertinent applications of Scripture he added this, "That it was a monstrous thing for a son to beget his father, or for a man to make his God:" now priests in Scripture are called fathers and gods, and therefore kings, who are but men and their sons, cannot give them investitures. Such was the divinity and such the logick of Rome in those days! But Henry, not being convinced by this reasoning, commanded Anselm either to pay him homage, and consecrate those who had lately received investitures from him, or leave the kingdom. He also wrote to the pope that "he would give him those honours, and that obedience, which in his father's time had been given to former popes, upon no other condition, than that the dignities, customs, and usages, which in their time had been enjoyed by his father in England, should be preserved unviolated to him. Be it known to your Holiness (said this wise monarch) that, while I live, I will suffer none of them to be diminished: and should I so much debase myself (which far be it from me to do) yet my nobility and the whole people of England will by no means endure it." The pope replied, that he would not yield to the king in this matter to save his life, and that by the judgment of the Holy Ghost he had forbidden all investitures by princes. After much dispute, during the course of which Anselm had been obliged to go to Rome, and forbidden to return any more into England unless he would comply with the customs of the kingdom; some

some of the king's ministers having been excommunicated, and he himself threatened with the like sentence, at a time when it would have probably done him great hurt in his temporal affairs; he was compelled to give up investitures; and the pope submitted to allow him homage from his bishops and abbots.

This accommodation was, doubtless, derogatory to the royal prerogative, and the right of patronage in the crown, of which investitures were the symbol. For though the king had only yielded in a matter of form, which he might think unessential, the clergy argued from thence to the substance. Yet this was rather felt by his successors than by him. And after the death of Paschal, Calixtus the Second, being much pressed by a schism, and wanting the protection of Henry against it, was persuaded to grant him a general confirmation of all the prerogatives his father had enjoyed in England and Normandy; and particularly of a right which had been lately contested with a good deal of warmth, viz. that of receiving no legates without their having been expressly desired by himself.

S. Dunelm.
Flor. Wigorn.
Malmfb. de
gest. R. A.

Eadm. l. v.
p. 125, 126.
S. Dunelm.
p. 241.
Hoveden.
annal. p. 1.
f. 272. c.
40.

This seemed a great victory obtained over Rome: but he had been prevailed upon, before Paschal died, to suffer a point of still more importance to the papal authority to be carried in England, which his agreement with Calixtus did not set aside, and which certainly his prudence should have resisted. He did not enough consider how much the design of detaching the clergy from any dependence upon their own sovereign, and from all ties to their country, was promoted by forcing them to a life of celibacy, but concurred with the see of Rome and with Anselm, its minister, in imposing that yoke upon the English church, which till then had always refused it. Indeed he lessened the evil in his own times, by selling dispensations to such

Malmfb. de
gest. pont.
Aug. l. i. j
f. 129, 130.
Huntingd.
Eadmer.
Hoveden.

See concil.
M. Brit. t. i.
p. 408.
Gervase act.
pont. Cantu.
col. 1663.

Sir R. Twif-
den's hist.
vindication,
chap. iii. n.
50.

Odoric Ray-
nald. Ann.
ecclef. Stil-
linfleet a-
gainst Cref-
ly, upon the
penal laws a-
gainst Pa-
pists, p. 364,
365. et seq.

Pontifical.
Roman. p.
86. to 97.
Antw. 1627.
and Burnet's
hist. of the
reformation,
p. 123. vol.
i. Baronius
ann. 1102.
Muratori,
tom. iii. p. i.
p. 366.

such of his clergy as were willing to pay for the liberty of keeping their wives, and so converted this pretended reformation of manners into a profitable fund of wealth for himself: but still the canons exacting the celibacy of priests received the sanction of the royal authority, and were, after much reluctance, carried into execution. He was also prevailed upon to suffer a legate *a latere*, the cardinal of Crema, to preside in a council held at London, upon this and other matters, in derogation to the metropolitan rights of the archbishop of Canterbury; thereby confirming that dangerous and degrading subjection to the bishop of Rome, which his father had brought upon the church of England. Another hurtful innovation was also introduced, towards the end of this reign; an oath of direct *allegiance* to the pope being imposed on Rodolphus, archbishop of Canterbury, by which he swore to assist that pontiff and his successor, in defending the Roman papacy and *the royalties of St. Peter* against all men; and promised to them an unreserved obedience and *fealty*, without even excepting that duty, which he owed to the king. Indeed it was acknowledging the pope for his sovereign. But, as this oath (which was afterwards extended to all prelates) was then only taken by archbishops at the time of receiving their palls, Henry might not be apprised of the true nature of it, or know of its having been administered to Rodolphus: for, otherwise, it is probable he would have opposed it as much as the kings of Sicily and Poland, who strongly declared against it in their dominions. I have brought together all these matters, that I might shew in one view, how the great controversy between the crown and the church was carried on in this reign, and shall now proceed to relate the most important and interesting of the civil transactions.

Robert,

Robert duke of Normandy, in all his conduct, was the reverse of his brother. He exhausted the whole wealth of that opulent dutchy in lavish bounties and grants, rather to impudence than merit, and not only gave his greedy courtiers and parasites all they asked, but allowed them to take, both from himself and his people, whatsoever they pleased. He so easily pardoned even the worst offenders, that under his government the guilty were always safe, the innocent never. His indolent life, perpetually immerfed in sloth or riot, the factions his weakness encouraged, and the continual depredations of rebels and free-booters, who, not fearing the prince, despised the law, obliged many of his nobles, and the body of his clergy, to ask the protection of the king of England. This, in effect, was giving that prince the dutchy: for such is the usual course of things: the country, that has put itself under the protection of a powerful monarch, will soon be under his dominion. Robert indeed was become unfit to govern: yet it seemed hard and unnatural, that his own younger brother, to whom he before had ceded the crown of England, should now deprive him of the government of Normandy also, upon any pretence whatsoever. Henry himself could not do it without feeling some compunction. But he had a sermon of a Norman bishop, and the exhortations of the pope, to quiet his scruples: nor did he find any difficulty in obtaining the concurrence of his English parliament: the most powerful barons being always desirous, for their own private interests, to unite the two countries under the same master. The remembrance how ill he had been used by the duke in former times, the imprisonment, the exile, the indignities, he had suffered, might also steel his heart against any sentiments of affection or compassion towards that prince. Following therefore the dictates of his ambition, and colour-

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Order. Vital.
l. xi. p. 814,
815, 865,
866.
Malmsh. l.
v. f. 86, 88.
89. G. Neu-
brig. l. i.
c. 3.

ing them with zeal for the good of the Normans, especially of the church, he fought a battle at Tinchebraye, in which he defeated the duke, and took him prisoner. This revolution happened in the year eleven hundred and six. Robert was carried a captive into England; where he remained in confinement seven and twenty years, having, before this misfortune, lost all the reputation he had gained in the east, and proved that neither the most heroic valour, nor the best heart, can save from ruin a prince, who pardons every thing and refuses nothing. Henry made his imprisonment as easy to him as possible, furnishing him with an elegant table and buffoons to divert him; pleasures which for some years he had preferred to all the duties of sovereign power.

Ord. Vit.
L ii. p. 823.
Malmsh. l.
v. f. 87.

The people of Normandy were infinitely benefited by the change of their master. The new duke, with the concurrence of the Norman legislature, confirmed his father's laws, resumed all the extravagant grants of his brother, which had brought the state into want, and promised to suppress, in all orders and degrees of his subjects, that rapine and violence, which the relaxation of the reins of government in the hands of Robert had produced. These engagements were punctually and honourably fulfilled. The highest rank could not protect, nor could any supplications or interest save, the principal authors of the former outrages and disturbances in that dutchy. The very dread of Henry's justice, upon the first news of his victory at Tinchebraye, drove many of them to seek a refuge in exile, from which they never returned; and some, whom he had made his prisoners in that action, he confined for their lives, though, to purchase their freedom, great sums were offered to him, by their families, or their friends: for, notwithstanding the bent of his nature to avarice, he had too much understand-
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Ord. Vit. l.
xi. p. 821,
822.

Malmsh. l.
v. f. 88, 89.
Ord. Vit. l.
xi. p. 821,
822, 823.
841.

ing to barter away the authority of his government and the safety of his people. But he shewed more compassion to the unfortunate Edgar Atheling, who was also his captive at Tinchebraye, and had particular reasons to apprehend his resentment. It seems indeed, very wonderful, that this prince should have fought, in behalf of Robert, against Henry, who had married his niece, and lived in the most friendly alliance with his nephew, the king of Scotland. But there was in his character a certain sympathy with that of the duke, which made them fond of each other; and he appears, at all times, to have acted more from the impulse of inclination or humour, than from the dictates of judgment. After he had restored his nephew to the throne by the arms of William Rufus, he departed from Scotland, and went to the holy war, at the head of an army of twenty thousand men, who had been collected together, from that kingdom or the isles adjacent thereunto, and had taken the cross somewhat later than the others enlisted in that service. Being received with his troops in Laodicea, he held the city in the name of Duke Robert, till it was given up to its natural sovereign the Greek emperor, in order to procure for the Norman prince and his friends a safe return into Europe. After their departure, he went from thence, at the head of his forces, into the Holy land, where without any great reputation (for history takes no notice of his actions) he served King Baldwin the First in some of his wars against the Egyptians and Turks. All we know is, that, having lost the whole army, he had led into Palestine, he returned to England, and in his journey thither was received with peculiar tenderness, by the emperors of Greece and of Germany, who out of compassion for the abject state of his fortune, and regard to his royal blood, offered to give him an honourable establishment in their courts,

Malmsh. l.
iii. f. 58.
Ord. Vit. l.
x. p. 778,
779.

Chron. Sax.
p. 214. sub
ann. 1106.

Malmsh. f.
58. l. iii. de
Will. I.

Fadmer. l.
iii. p. 88.
Chron.
Saxon.

Eadm. p. 94.
Malmsh.
l. v. p. 91.

courts, which nothing, it seems, but a passionate love to his country, made him reject: for he might have certainly lived with more dignity in any other part of the world, than where his ancestors had been kings, and he, who inherited all their rights, was a subject. Yet, fond as he was of England, he had not long enjoyed the pleasure of his return to that island, before some disgust, which he conceived against Henry, or his great affection for Robert, drew him from thence to the court of that unhappy prince, in whose calamity he was now involved. Henry, with mixed sentiments of pity and scorn, and from tenderness to his queen, who interceded for her uncle, permitted him to return in freedom to his county, where he grew old and died in an obscure retirement, being, from the meanness of his spirit, become as contemptible, as he once had been dear to the English. He never married; nor do I find that he left any natural child, but he had the satisfaction of seeing his nearest relations seated on the thrones of England and of Scotland, over which countries their posterity have reigned to this day.

That King Henry might be enabled to acquire and retain the dutchy of Normandy, his English subjects were loaded with continual taxes, almost beyond what they could bear, and much beyond what they would have borne, if the great interest of his nobles to keep that dutchy annexed to this kingdom had not engaged them to give him a strong support. He had moreover the art of accompanying and tempering demands of this nature, with kind words, very flattering to the pride of the nation, and with gracious and popular acts. Thus, while the people were oppressed with the burthens imposed upon them for the maintenance of his Norman war, he softened their sense of them by restraining the abuse of pourveyance, which had been insupportably great in his brother's

brother's reign ; many of those, who attended the court in its journeys, not only taking the necessary provisions, which the tenants who held the demesne lands of the crown, were required to furnish, but committing great waste, and even insulting their hosts with riots and outrages. To put a stop to this grievance, a law was made by this king, which fixed the quantity they should take, and the price they should pay for what they took, and inflicted rigorous penalties, in some cases death itself, on any future offenders. By these marks of a paternal regard and affection, as well as by the justice he did the commons against their lords, whenever they applied to him for relief or redress, he turned the complaints of the severity used in collecting the taxes, from himself on his ministers, by whom they were raised, and who supposed that his avarice would secretly approve their iniquitous conduct, if they could but find a pretence to make it seem legal, which the yet unsettled limits of the royal prerogative, and the arbitrary practice of the court of exchequer, rendered not very difficult. But, as the general course of his government was popular at home and glorious abroad, these faults, which his prudence moderated, and his policy veiled, were not ever productive of any considerable discontent in the people. From the second year of his reign, in which he expelled the most turbulent of his barons, Robert de Belesme earl of Shrewsbury, out of his realm, even to the day of his death, that is, for the space of above thirty-three years, there was no revolt, nor the least commotion in England : a length of tranquillity scarce to be paralleled in the history of this kingdom, and more extraordinary then, considering how very factious, and prone to sedition, the temper of the barons appeared to be, in the beginning of this, and through all the following reign !

See Eadmer,
p. 83.

See Ord.
Vit. I. xi.
p. 808.

Ord. Vital.
Malmfb.
l. v. f. 90.
Soger in Vit.
Lud. Groffi.

But he did not enjoy an equal calm abroad. Such, in those days was the internal state of France, from the greatness of the fiefs into which it was parcelled out, that the sovereign and some of his vassals were ever at variance, or the vassals with each other ; and their disputes were decided, not by the laws, but the sword. The king of England, as duke of Normandy, was often engaged in these broils, but to the disquiet they caused was added another far more dangerous quarrel, arising from the support given by several French princes, and by the king of France himself, to the pretensions of William Clito, called also William Longsword, the only son of Duke Robert.

Ord. Vit.
l. xi. p. 821.

That prince, after his father's defeat and captivity, being then an infant, was delivered to Henry, his uncle ; who not only treated him with all possible kindness, but, fearing, that if any ill accident should befall him, it might draw upon himself an odious suspicion, committed the charge of him to Helie de St. Saen, a man of the highest reputation for honour and virtue, and known to be devotedly attached to Robert, who had given him his natural daughter in marriage. Yet, about two years afterwards, he thought it necessary, upon some information received, or from mere apprehensions of danger to his government by his nephew's being longer out of his power, to send Robert de Beauchamp, with a party of horse, to bring him away from the castle of St. Saen. Helie himself was then absent : but some of his family taking the alarm, they bore off the young prince out of his bed in the night, and conveyed him safely to their lord, who carried him to the courts of Guienne, Burgundy, Bretagne, and France, raising compassion and kindness in the breasts of all those princes to whom they went, while he formed a party for him, by more secret intrigues,

Item, p.
837, 838.
sub ann.
1108.

intrigues among the Norman barons. He also procured him the valuable friendship of Fulk the Fifth, earl of Anjou, one of the bravest and most prudent men of that age, who having territories that bordered upon the dutchy of Normandy could strongly support a faction there.

The Angevin family had been long very powerful and illustrious. As their posterity, in a continued succession from the reign of Henry the Second down to the present, have been kings of England; and as, with their history, many circumstances of importance to ours, antecedent to that reign, are intermixed, it will be proper to mark out the chief events, by which their greatness in the court and kingdom of France was established and maintained.

In the reign of Louis the Fifth, the last king of the race of Charlemagne, Geoffry surnamed Grisegonelle, earl of Anjou, obtained, by his signal merit to the state, the office of grand senechal, which at that time comprehending all the functions and powers both of great master of the household and constable of the kingdom, was the most eminent dignity next to that of duke of France possessed by Hugh Capet, who soon afterwards gained the throne. It continued from that time an hereditary fief in the successors of this earl, till the reign of Lewis le Gros, who gave it to his favourite, Anseau de Garlande; but Fulk the Fifth, earl of Anjou, resenting this injury, when Lewis had need of his service; an agreement ensued, which confirmed the office to Fulk, and to his posterity after him. as his ancestors had enjoyed it.

Hugo de Cleris.
Pere Daniel,
Histoire de
la milice
Françoise,
tom. i. l. viii.
p. 164.

Another great augmentation of the power of this family was the conquest of Touraine, which Geoffry, surnamed Martel, grandson to Geoffry Grisegonelle, made in the year one thousand and thirty seven, from the earl of Chartres and Blois, who was then in rebellion against his sovereign,

Malmsh. l.
iii. f. 54, 55.
G. Picav.
gest. Gul.
Ducis, 182,
183. Meze-
rai. Pere Da-
niel.

Malmfb.
ibid.

Malmfb.
ibidem.

and being defeated and taken in battle by this prince, to purchase his liberty, gave up that province for ever to the Angevin family ; the king of France, as supreme lord, confirming the cession. The father of Geoffry, Fulk the Third, had resigned to him his dominions, intending to end his life at Jerusalem ; which city he had visited so often before. as to have got the name of *le Palmier*, from the branches of palms he brought back : a mode of devotion very prevalent at that time, and which, in the following century, produced the crusades. But, before he was ready to set out on his pilgrimage, he found that his son used the power, he had given him, ill, and, therefore, out of regard both to his subjects and to him, resumed the gift. Geoffry took up arms, to maintain his possession ; but the party of the old earl was so superior to his, that, he was soon forced to sue for peace, and is said to have done it in a very extraordinary manner. For, by way of penance and humiliation (as the laws of chivalry then required) he carried his saddle some miles upon his own back, and thus accoutred threw himself at the feet of his father, who scornfully spurning him said two or three times, *You are conquered at last*. To which he replied, *I am conquered indeed by you ; because you are my father : but with regard to all other mortals I am unconquered*. The spirit of this answer so pleased the old man, that, raising him up, he reinstated him in the government of the earldom, though not without advising him to make, for the future, a more moderate use of his power. But it soon appeared that moderation was not in his nature. After the acquisition of Tours he formed other enterprises against the peace of his neighbours, and would in all probability have extended his dominions by further conquests, if he had not been stopped by the valour and good conduct of William the Bastard, then duke of Normandy

mandy and afterwards king of England. That prince, in the bloom of youth, recovered from him some towns on the borders of Normandy, repelled all his attacks, and braved him with a spirit as intrepid as his, as fierce, and as haughty, but directed by a sounder and steadier judgment. Being thus checked in his progress, and full of resentment, he entered into a league with almost all the great vassals of the French crown, and with Henry the First, their king, at the head of them, to crush the victorious duke, who was become an object of jealousy and terror to them all. But, the confederates having divided their forces, and one half of their army being defeated by the Normans, the king made his own peace at the expence of the earl, who, thus abandoned, was unable to prevent the duke of Normandy from acquiring Maine.

Gul. Picav.
ge stGu.
Ducis, from
p. 184 to
190. Ord.
Vit. l. iii. p.
487, 488. et
l. iv. p. 532.
Malmsh. l.
iii. de
Will. I. f.
55, 56.

Fulk, the late earl of Anjou, had, by a base act of treachery, compelled Herbert earl of Maine, the first of that name, to hold his earldom as a fief dependent upon Anjou; having invited him to his town of Xaintes in Xaintonge under colour of a treaty, and imprisoned him there, till he yielded to his demands. But Hugh, the son of Herbert, having strengthened himself by a marriage with Bertha, sister to Thibaut earl of Chartres and Blois, and dowager dutchess of Bretagne, refused to acknowledge this extorted dominion: upon which he was attacked by Geoffry Martel, and driven out of the earldom, which Geoffry seized, as forfeited to him by the rebellion of his vassal.

After the death of Hugh, Herbert the Second, his son, finding himself not a match for the power of Anjou, by the advice of his mother applied to the duke of Normandy, who had some pretensions to Maine; and did homage to him for it, as superior lord of the fief. William promised here-

upon to give him one of his daughters, whom he afterwards offered to Harold : but, before she was marriageable, the young man died, and bequeathed his earldom to the duke, telling his barons, when he notified to them the settlement he had made in favour of this prince, that they would find his government very gentle, if they submitted themselves willingly to it, but very severe, if they obliged him to extort their consent by force.

Pict. gest.
G. D. p.
189. Ord.
Vit. l. iii.
p. 487. et
l. iv. p. 534.

Thus did William most fortunately acquire a province, of which, before, he could only pretend to the feudal superiority, and which, as lying contiguous to the dutchy of Normandy, he much desired to possess. Yet it cost him no small trouble to maintain that possession : for the earl of Mante and Pontoise, who had married Biotā, sister to Hugh earl of Maine, claimed the inheritance in her right, and was favoured by a party of the nobility of Maine, who delivered up to him the town of Mans, with the help of Geoffry Martel, under whom he bound himself to hold it in fief. Ordericus Vitalis affirms, that the duke of Normandy was unable to recover this city, till both the earl and Biotā died, with a grievous suspicion of poison, in his own town of Falaise, where he had made them his guests : a crime, which, if it were justly imputed to that prince, would fix a most horrid stain on his character : but it is confirmed by the testimony of no other historian : and William of Poictou, a contemporary writer, says in his history, that the earl allowed his friends to yield up Mans, for fear of losing, in the contest, his other dominions ; which, placing his death after the time when the town was recovered by the duke, absolutely contradicts the other account. Nor should we readily suppose that a person so brave and magnanimous would take such

infamous

See Pict.
p. 190.

infamous methods to destroy his antagonists. It is certain that he never was entirely master of Maine till the death of Geoffry Martel, who died in the year one thousand and sixty one; fortunately for him in many respects; for, if that prince, his perpetual and implacable enemy, had lived but five years more, the apprehensions of leaving the dutchy of Normandy exposed to danger on that side, would have probably hindered him from daring to prosecute his design upon England. But it pleased divine Providence to remove this great obstacle, as it also did many others, out of his way.

Geoffry, dying without issue, bequeathed his dominions to another of the same name, his sister's son: but, he being wholly given up to devotion, and unqualified to govern a turbulent state, was deposed by his brother Fulk, the fourth earl of that name. With him the duke of Normandy, after he had acquired the dominion of England, had a sharp war, on account of the earldom of Maine, in maintaining which he was faithfully and bravely served by the English, a great army of whom he carried over to France, and employed them to fight his battles for him in that kingdom, which they did more successfully than they had defended their own country against him at home. By their valour he regained the city of Mans, which had been yielded to Fulk: but the latter being supported by a considerable aid from Bretagne, a peace was concluded upon the same conditions, as had been settled before, between his brother, and the king; namely, that the king's eldest son, Robert, should receive the investiture of the earldom of Maine, doing homage for it to Fulk, as his superior lord. The foundation of this agreement was a marriage contracted, but which the lady did not live to consummate, between Robert and Margaret, second sister to Herbert the Second, earl of Maine; and it afterwards became one cause of dis-

Ord. Vit.
P. 532.
533. l. iv.

Flor. Wi-
gorn. St.
Dunelm.
Ord. Vital.
l. iv. sub an.
1073.
Malmsh. de
W. I. l. iii.
f. 59. sect.
30.

sension between Robert and his father : for that monarch was no more inclined to give up the government of this earldom, than of the dutchy of Normandy, during his own life ; saying, *that he would not undress himself before he went to bed.* But *this was dressing himself in the robes of his son :* for it was to Robert, not him, that the investiture of Maine had been granted by the late treaties with Anjou ; though he seems to have considered them only as expedients to possess himself of the earldom under the name of his son, founding his claim to it on the will of Herbert the Second. Immediately after his decease, the people of Maine, averse to the yoke of the Normans, sent into Italy the two sons of Azzo earl of Liguria, who had married the eldest sister of their last earl, offering their allegiance to either of the brothers that would come and receive it. The younger, named Hugo, undertook the adventure, trusting, it seems, to the enmity which at that time subsisted between Robert and William Rufus. But after their reconciliation, being a man of no courage and of very mean talents, he sold the earldom, which he thought he could not defend, to his cousin, Helie de la Fleche, who was son to the third sister of Herbert the Second. The change was very agreeable to the people of Maine, by whom Helie was exceedingly beloved and esteemed ; and it was confirmed very willingly by Fulk earl of Anjou, under homage to whom this prince desired to hold the acquisition he had made, as his predecessor had done. He supported himself in it without any difficulty, so long as Robert continued to be master of Normandy : but when that dutchy was delivered to William Rufus, he found in him a competitor, whom neither his own power, nor that of Anjou itself, could well resist. He therefore offered, as a means of avoiding a war, to try his right to the earldom in the court of his sovereign,

Ord. Vit.
l. viii. sub
ann. 1090.

Idem, p.
532. l. iv.

Ord. Vit.
l. x. p. 769.

vereign, the king of France, according to the laws of the land, which the duke of Normandy was bound, as much as he, to respect. William answered, *that he would plead against him with swords and lances.* And when it was urged by the earl, that having taken the cross (which he had done just before) he was under the protection of Christ and the church, William, who regarded neither religion nor law against his own interests, and was not afraid of the pope, very coolly replied, "that he might go to the holy war as soon as ever he pleased; and, for his own part, it was not his desire to molest him, or any other person engaged in that service:" but added, "that he would advise him, before he set out, to repair the fortifications of the city of Mans; being fully determined himself to visit it soon, at the head of a hundred thousand men." This stopped the earl; and, as the king was embarrassed with many other affairs, he enjoyed a longer quiet than he expected: but, about two years afterwards, he had the misfortune to fall into an ambush, laid for him by Robert de Belesme, earl of Shrewsbury, whom William employed as his general in those parts; and, being taken prisoner, was confined in the castle of Rouen. The earl of Anjou, as soon as he heard of his vassal's captivity, went with an army into Maine, and, as lord of the country, undertook the defence of it against the king of England, who now attacked it in person. The earl maintained it with great valour, and for some time with success; but, finding at last his forces too unequal to those of his enemy, he made peace with William, by yielding to him Maine free of homage to Anjou, on condition that all prisoners should be restored on both sides. The earl of la Fleche was thus set at liberty, and, being now reduced to a private condition, offered his sword to the king, who was ready to receive him

Ord. Vit. l.
x. sub ann.
1098.

him with open arms : but the earl of Meulant, that monarch's favourite and principal minister, apprehending a rival in so able a man, dissuaded him from it, by representing to him the danger of trusting one whom he had so much offended. Helic, repulsed in his suit, said, at parting from the king, "*Since you will not deign to accept my friendship and service, you must not, Sir, be surpris'd if you find me your enemy, and endeavouring to regain the state I have lost.*" Nor did he wait long before he executed this spirited threat. For, immediately upon William's return into England, he made himself master of Mans, aided by the affection of the citizens to him, which his ill fortune had not cooled : but the castle and some forts held out obstinately against him, the garrisons of which set fire to the town, and burnt it down to the ground. While he was endeavouring, by the slow approaches of a siege, to reduce these strong places, William, having intelligence of what had been done in that country, instantly rode from the new forest in Hampshire, where he was hunting, to the sea side, and, with scarce any attendants, passed over to Barfleur, in very tempestuous weather : then having assembled, with incredible diligence, an

Malmsh. army of Normans, he so expeditiously led them
D. C. 30. against the earl, that this lord, being surpris'd, was again made his prisoner, and freed by him, without ransom, as hath before been related. Not long afterwards happened the violent death of the king ; and the earl thereupon was enabled to recover the whole province of Maine, which he governed, some years, with great wisdom, having entered into a strict alliance and friendship with Henry king of England, to whom, in his wars against his brother, Duke Robert, he did eminent service, particularly at Tinchebraye, where the success of that monarch was principally owing to him and his troops. Nevertheless he acknowledg-

ed no subjection to Normandy, as earl of Maine ; but held that county under homage to Fulk the Fourth, earl of Anjou, who had been always his friend.

In the history of this Fulk the most remarkable circumstance was his marriage with Bertrade, daughter of Simon de Montfort, whom he obtained of her uncle, the earl of Evreux, by the mediation of Robert, duke of Normandy, though he had at that time two wives alive, whom he had divorced on pretence of their being related to him within the degrees forbidden by the canons. The prohibition had been extended even to the seventh degree, which the policy of Rome either enforced or relaxed in particular cases, as suited best with the interests of the pontificate : so that any prince in that age, who was well with the pope and weary of his wife, might separate himself from her, and marry another, whenever he desired it, by alledging a distant relation, which the court genealogists never failed to make out. The earl of Anjou was already declining in years, when he made use of this liberty, to wed with Bertrade, the most celebrated beauty in the kingdom of France. She brought him a son ; but they had hardly cohabited together four years, when, from a disgust on account of the inequality of their age, or from motives of ambition, which seems to have been at all times her ruling passion, she suddenly left him, under the pretence of a scruple of conscience about the validity of her marriage, and married Philip the First, then king of France, whose heart she had gained in a visit, which, upon her invitation, he had made to her husband. But that monarch himself had also another wife alive at that time, who had brought him three children, and from whom, on pretence of some relation between them, he had been lately divorced ; the

Ord. Vit.
l. viii. sub
ann. 1089.

Ord. Vit.
l. viii. sub
ann. 1091.
Pere Daniel.

real

See Malmsh.
de Will. I.
l. iii. f. 69.
sect. 10.

Cencil. Edu-
ense, tom. x.
Cencil.
Ann. D.
1094.

V. tom. x.
Cencil. &
Pere Daniel.

Ann. D.
1096.

Ann. D.
1098.

Ann. D.
1099.

real cause being only (if we may believe William of Malmshbury) that she was grown very fat. Such astonishing scenes did the divinity current in those times produce! But Philip's passion for Bertrade had made him act in this business with too much precipitation. He had not obtained the consent of the bishops of France, or of the pope, to his divorce; nor was the marriage of Bertrade with the husband she had quitted declared to be null. The consequence was, that a very strong opposition was made to the validity of this new engagement, by Ivo bishop of Chartres, compiler of a code of ecclesiastical laws, which had great authority in those days: and though Philip had such influence over his bishops as to procure a decree in favour of his marriage from a national council at Rheims, yet the contrary opinion of the bishop of Chartres prevailed on Pope Urban the Second to call another at Autun, under his legate the archbishop of Lyons, which excommunicated the king for living with Bertrade, during the life-time of Bertha, his lawful wife. Soon after this sentence had been passed against him, that princess died: and other councils were called on this affair, in one of which held at Clermont under Urban himself, Philip was again excommunicated, and the same sentence was denounced against all his subjects who should continue to give him the title of king, or so much as speak to him, unless to exhort him to repentance. This had such an effect, that in another, held at Nismes, he consented to part from the countess of Anjou, and so obtained absolution. But the chains by which she held him were too strong to be broken. Two years did not pass, before he not only recalled her to his court and his bed, but even caused her to be crowned, as queen of France. Soon after this, Pope Urban died, and his successor Paschal the Second assembled a new council at Poitiers, to re-examine the cause: but

but, though the party of the king was stronger there than it had been at Clermont, the legates were firm, and pronounced against him a new sentence of excommunication, under which he remained from the year eleven hundred to eleven hundred and five; when, after many endeavours to obtain a dispensation from the pope, for their marriage, in which they were seconded by the bishop of Chartres himself, both he and Bertrade were absolved, upon taking an oath, that they would not, for the future, cohabit together. Yet that this oath was not kept appears from the words of Ordericus Vitalis, a contemporary historian, who says, that *she stuck to him, even to the day of his death*. Which assertion is confirmed by an Angevin chronicle, wherein it is said, that the year after their absolution they went together to Angers, and (what is still more extraordinary) that they were most kindly received and entertained, by the old earl, her late husband. Notice is also taken by Ordericus Vitalis of this strange complaisance, which he imputes to the power that Bertrade still retained over the mind of that prince. Indeed she was a woman of consummate address, and had charms in her wit not inferior to those in her person: yet some other cause must have influenced a man in his circumstances to make him act such a part. It does not appear that in the several councils held on this subject he had ever opposed her cohabitation with Philip, or expressed any desire to have her restored to him. It may be therefore presumed, that his former passion for her had been cloyed by possession, and that he was glad to be rid of her in any manner, or, at least, not disposed to quarrel with his sovereign on her account, but desirous to avail himself of her friendship and protection at the French court. Perhaps too in his heart he acknowledged the nullity of his own marriage with her, and was not so well satisfied

Concil. Pict.
ann. 1100.

Epist. Lamberti ad Pasc.
cal.

See Ord.
Vit. l. viii.
p. 699. sub
ann. 1092.
Chron. Andagev. tom.
v. Bibliothec.
Labbæi.
Pere Daniel.

Ord. Vit.
xi. p. 818.

fied as the see of Rome that his former divorces were legal. A circumstance which renders this more probable is, that, in the latter period of his life, he gave up the government of the earldom of Anjou to Geoffry his son by the first bed, and declared him his successor in all his dominions. That the excommunication of Philip and Bertrade was never renewed after their last absolution, though they so openly lived together in breach of their oath, can, I think, be accounted for only from the need which Pope Paschal the Second had of the favour of the king, to support him in the war which was then made against him by the emperor Henry the Fifth. This might procure a connivance from his Holiness, though not a direct dispensation: for, that he did not grant the latter the silence of all the contemporary writers undeniably proves. Philip died not long afterwards, and, to expiate his sins, in the habit of a monk, which he took at the point of death; a very commodious method of renouncing the world when a man is just going out of it, and therefore frequently made use of in those days by princes who had led wicked lives. Nay, so weak is the human mind, when loaded with guilt and fooled by superstition, that the same practice has continued in Roman catholick countries even down to these times. About a year after the decease of Philip, Bertrade, being defeated in all the objects of her ambition, had also recourse to the expiatory merit of a monastick vow, not so ridiculous as the king's, because it was made in health; but a penance very unequal to the enormity of her guilt. For, in order to secure herself against the succession of Louis, Queen Bertha's son, and obtain the crown for the eldest of her own sons by Philip, she had scrupled no methods, how flagitious soever. Louis, who had conceived a particular esteem for Henry, king of England, had obtained leave of his father

la. 1108.

Malmsh.
ibidem.

Ord. Vit. l.
p. 812.

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her to make a visit to that monarch, and was received at his court with the honours due to his birth, and all the affection which such an obliging advance of friendship deserved. But he was presently followed by a messenger sent from Bertrade, who brought a letter to Henry under the seal of Philip, which contained a request from the latter, urged in the strongest terms, that, upon the receipt of it, he should instantly arrest the prince, and keep him in prison for life. Henry communicated this extraordinary epistle to the lords of his council, but ascribed it entirely to the instigations of Bertrade, and expressed his abhorrence of giving any countenance to the designs of that wicked and dangerous woman; in which sentiment they all concurred. He therefore exhorted his royal guest to return without delay into France, where his presence would be necessary to resist her machinations. The prince followed his advice, and retained such a sense of the obligation he had received from him upon this occasion, that he could not be persuaded to give him any obstruction in the conquest of Normandy, as from policy he ought to have done, but even encouraged and aided him in that undertaking; of which he and his successors had reason to repent. At his return into France he expostulated with his father upon the letter he supposed to have been written by that king, who absolutely denied that he had any knowledge of it; and it came out to be all a contrivance of Bertrade, against whom justice was demanded in vain. Nor did she stop at this crime; but attempted to save herself from the resentment of Louis by taking away his life. She first endeavoured to do it by sorceries, in which the ignorant superstition of those times had great faith, and tampered with three priests, who pretended to be able to destroy him that way: but one of them having impeached his accomplices, she

she took a method more effectual to answer her purpose, and caused the prince to be poisoned. The French physicians could not find any antidote to relieve him; but he was saved by a foreigner who came out of Africk, where the science of physick was then better known than in Europe. The passion of the old king for his execrable mistress was so rooted in his heart, that even this attempt on the life of a son whom he loved could not deliver him from it, though it does not appear from the accounts transmitted to us that he doubted of her guilt. Instead of punishing her, as so atrocious a crime deserved, he made himself mediator between her and his son, implored his pardon for her, and bribed him to grant it with a considerable portion of the royal demesne. At his death she withdrew herself out of the power of Louis, and with the assistance of her brother Amauri de Montfort raised a revolt against that prince; but, his valour and prudence having soon overcome this rebellion, which was not supported by the body of the nobles or people, she took refuge in a convent, as a safer asylum; and her brother, who was a man of peculiar dexterity in court intrigues, made his peace with the king, and obtained no inconsiderable share of his favour.

Suger vit
Lod. Groff.

Before Philip's death, the earl of Anjou had resigned the government of that province to Geoffry his son, who in the administration of it shewed a very laudable spirit, by putting a stop to the robberies and other enormities, which, during the licentiousness of his father's administration, had there been committed, not with impunity alone, but with encouragement; the earl himself (if we may believe a contemporary historian) frequently sharing in the plunder. Against all these freebooters, of whom many were barons and governors of castles, the young prince drew the sword, punish-
ed

Ord. Vit.
l. xi. p. 818.

ed them with the severity that justice required, and established such peace and good order in Anjou, as it had seldom enjoyed. But, at the end of three years, he was treacherously slain, by an arrow shot at him from the wall of a castle, possessed by a band of rebels, whose chiefs were treating with him upon a capitulation. His father, finding himself from his age and infirmities unable to bear the burthen of government, was desirous to make it over to his other son, Fulk, whom he had by his marriage with Bertrade. This young man was then under the tuition of his mother, by whom Philip was easily persuaded to consent to his exaltation, and to grant him the investiture of the earldom of Anjou : the question about the legitimacy of his birth not being thought any bar to his obtaining that dignity ; as the earl, his father, had no legitimate son. The duke of Aquitaine, who had been paying his duty to Philip, was at this time returning home. As he proposed to pass through Anjou in his journey to Poitou, Bertrade entrusted her son to his conduct : but, instead of carrying him to his father, he detained him in prison, with an intention of extorting by this means from the earl the cession of certain towns on the frontiers of Anjou ; probably some of those that had been gained from the princes of the ducal family of Poitiers by the first Geoffry Martel. Bertrade, enraged beyond measure at this perfidy, employed all her arts to instigate the old king to make war on the duke ; but he was too indolent to undertake such an enterprize ; which being well known to that prince, he slighted her menaces ; nor did he pay more regard to those of the earl of Anjou, who, seeing no other means of delivering his son, consented to renounce, for himself and his successors, the towns in dispute. This cession was the last publick act of his life, the latter end of which had been very inglorious. His son proved

A. D. 1106.

An. D.
1110. O. d
Vit. l. x. p.
785.

Idem. l. xii.
p. 840.
An. D.
1113.

Idem, p.
838. 840.

a great prince, and conducted himself wisely in all affairs. He married the daughter of the earl of La Fleſche, and acquired, by that alliance, the province of Maine : for his father-in-law, dying without iſſue male, left it to him, upon account of his marriage. But Henry the Firſt, king of England, though, out of a proper regard to the good ſervices done him by the earl of La Fleſche, he had not enforced his pretenſions to this earldom during the life of that prince, renewed them after his death, and required that the earl of Anjou ſhould hold it in fief of the dutchy of Normandy. This demand having incenſed the high-ſpirited earl, he was eaſily induced by his uncle, Amauri de Montfort, and by Robert de Beſſme, to favour the claim of William, Duke Robert's ſon, whom his governor, Helie de St. Saen, brought to Angers, at this juncture of time. Amauri de Montfort, nephew to the earl of Evreux, whom the king of England had baniſhed and deprived of his earldom, having eſcaped from the battle of Tinchebraye, had, by the mediation of the earl of La Fleſche, obtained ſome time afterwards a pardon from Henry, and part of his eſtate, which had been conſiſcated, in the dutchy of Normandy : but he did not forget that Henry had deprived him of all his poſſeſſions in England, and therefore took this opportunity to excite new diſturbances againſt that monarch. A moſt intimate connexion was formed between him and Helie de St. Saen, who governed himſelf chiefly by his advice ; knowing him to be a man, who, from his abilities, courage, and experience in faction, would be a moſt proper inſtrument to ſerve his pupil. They flattered themſelves with the hopes of a powerful aſſiſtance from Louis le Gros : For the friendship, that had ſubſiſted between Henry and that prince during the life of his father, had been interrupted, in the firſt year of his reign, by a diſpute about Giſors, a town built

built by William Rufus on the frontiers of Normandy, which, conformably to a treaty between the two kings, had been put into the custody of a baron subject to neither of them, in order to be kept in a state of neutrality. But Henry got possession of it, by corrupting that baron, and obstinately refused either to put it again into neutral hands, or demolish the fortifications, as the treaty required. Louis was so incensed at this scandalous breach of faith, that he proposed to decide the quarrel between them by single combat; but Henry, in whose valour there was nothing romantic, declined the challenge. A war ensuing hereupon, the king of England was assisted by his nephew, the earl of Blois, and the dukes of Aquitaine and of Burgundy, though all vassals of France. Louis was chiefly supported by Robert earl of Flanders who twice defeated the earl of Blois: but, in a battle between the king of France and that earl, a memorable victory was won by the latter; and the vanquished monarch with difficulty escaped from the field, bearing in his own hand the royal standard, and forcing his way through troops of the enemy, who had routed his army and surrounded his person. Nevertheless it was not long before he had his revenge; for, in another fight, the earl of Blois was dangerously wounded by the earl of Vermandois, a prince of the blood of France; which having constrained him to retire from the action, his army was soon beaten. During the whole course of this war King Henry remained in Normandy, contenting himself with sending assistance to his confederates, because he was afraid of disorders and rebellions in his own territories. But he courageously attacked and vanquished some detachments, which Louis had ordered to break into Normandy; and this having disposed that monarch to a peace, it was made upon conditions advantageous to Henry:

Suger in vita
Lud. Groffi,
p. 296.

Ord. Vital.
l. xiii. p. 837.
P. Daniel.

Ord. Vit.
p. 840, 841.
sub ann.
1113.
See also p.
858. and
Malmsh l.
v. f. 29.

V. authores
citatos ut
supra, et
Huntingdon
in epistol. de
contemptu
mundi.

for Gisors was ceded to him, and an amnesty was granted to all the vassals of France, who had taken part with him. About two years afterwards, his nephew, the earl of Blois, revolted again, and won a battle against Louis, in which the earl of Flanders being thrown from his horse, died of the bruises he received. The loss of this prince was a great misfortune to Louis, who had no better friend, nor any other general of equal capacity. He was so taken up in defending his own domains against the earl of Blois, that the earl of Anjou and others of the nobility of his realm, whom he had encouraged to make war against Henry, receiving from him no assistance, were unable to resist the forces of that king; especially, as one of the heads of their faction, and the chief manager of all their secret intrigues, fell into his hands, before their designs were brought to maturity. For Robert de Belesme being sent to him, with a message from Louis, he did not consider him as a foreign minister, but as his own rebellious vassal; and having got him condemned in his Norman court of justice, threw him into prison, where he remained all his life in the severest confinement. His sufferings met with no pity; as, wherever he had power, he had been a most inhuman and merciless tyrant. One horrible instance of his barbarous cruelty, among many others, is mentioned by an historian of very good credit; namely, that, for a slight offence, committed against him by the father, he, with his own hands, tore out both the eyes of a young child, his own godson, whom he had received as a hostage. Henry, after having freed the world from this monster, laid siege to Alençon, of which town he had been lord, and took it in a few days. The earl of Anjou, intimidated by such an unprosperous outset in the war he had undertaken, and seeing the storm ready to fall on himself, unsupported by all those in whose aid he had trusted, was easily induced to treat of a peace, which
Henry,

who desired security more than revenge, willingly granted him, upon condition that he should do homage to him, as duke of Normandy, for the earldom of Maine; and to induce him with less reluctance to make that concession, betrothed his son, the heir of his crown, to Matilda, the earl's eldest daughter. In consequence of this treaty duke Robert's son was driven from Angers, to seek protection elsewhere, which he found in the dominions of Baldwin the Sixth, earl of Flanders, who had succeeded to his father, Robert the Second.

The king of France, when he saw the confederacy against Henry dissolved by the defection of Anjou, thought it expedient to make peace with him, notwithstanding the injury done to his royal dignity in the person of his ambassador, Robert de Belesme; for which he obtained no satisfaction. Henry, who felt his advantages and knew how to use them, prescribed the conditions, and gained all the points he most desired; for not only Maine was allowed by Louis to be a fief of the duchy of Normandy, under the crown of France, but likewise Bretagne, the dependence of which upon that duchy had been warmly contested between them. Accordingly Alan Fergant, duke of Bretagne, did homage for it to Henry, who espoused one of his natural daughters to Conan, the eldest son of that duke, and having thus strengthened himself on every side, laid siege to Belesme, which Louis had given up, among other concessions made to him; though nothing could more dishonour that prince than such an article in the treaty, as it was completing the ruin of the imprisoned earl, whom on every account, except his moral character, he should have protected. But he was so virtuous himself, that his abhorrence of the man made him forget the ambassador. Belesme was a very strong place, and well garrisoned; yet Henry, assisted by the earls of Anjou and Blois, took it by storm the

See Malmsh.
l. v. f. 89.
Ord. Vit.
p. 841, 842.
sub ann.
1113.

See Malmsh.
l. v. f. 91.
Idem. l. 5.
f. 93.
Ord. Vit. sub
ann. 1109.

A. D. 1118.

Idem, l. xii.
sub ann.
1118.

Idem, p.
266.

Idem, p.
843.

third day ; and soon afterwards returned with glory to England ; where he continued five years without any disturbance, honoured and feared by his own subjects, respected, and courted by foreign powers. His only legitimate daughter, Matilda, was married to the emperor, Henry the Fifth, and of his many illegitimate children several were so disposed of in wedlock, that the alliances formed by them helped to secure the peace of his government. But in the year eleven hundred and eighteen new troubles arose in his territories abroad. For William, the son of Duke Robert, who was distinguished by the surname of Clito (used in that age by the Normans, as Atheling was by the Saxons, to denote a prince of the royal blood) had now attained to manhood, and shewed strong indications of a great spirit and a good understanding, such as were requisite to support his pretensions. Henry had offered to give him three earldoms in England, and breed him up in his court like his own son ; but he disdained to accept those offers. Perhaps he might be afraid to put himself into the power of a king to whose crown he had a title ; and certainly his distrust was not ill founded : nor could he with decency consent to reside in the court of an uncle who kept his father in a prison. The young earl of Flanders, who had received him with great kindness, when he was driven from Anjou five years before, warmly espoused his party now. But the most fortunate event in his favour was the death of William earl of Evreux : for Amauri de Montfort claimed that earldom, as nephew to the deceased ; which being refused to him by Henry, he renewed his connections with the son of Duke Robert, and having great influence and power in France, by his birth, alliances, riches, and personal talents, persuaded almost the whole kingdom, and Louis himself, to declare war against Henry, in behalf of that prince, whom
many

many of the Norman barons desired for their duke. Even the earl of Anjou joined in this league ; for which no other reason appears, than that Henry delayed to complete the match between his son and the earl's eldest daughter, which had been stipulated in the last treaty of peace. Yet, the lady being still under twelve years of age, her father had no cause to resent that delay, unless we suppose that from other circumstances he might suspect an intention of breaking the contract. Whatever may have been his inducement to act in this manner, he mightily strengthened the faction to which he acceded. The far greater part of the Norman barons were also, by the intrigues of Helie de St. Saen and Amauri de Montfort, drawn to engage in the same cause. The defection among them went so far, that Henry scarce knew in whom to trust : he was encompassed with treason : it was in his court, in his council, in his bedchamber itself, of which one of the gentlemen formed a plot against his life ; and though it was discovered to him before execution, the punishment of the traitor did not quiet the fears of the king. He became so uneasy, that, for some time afterwards, he never slept without a sword and a shield lying by him, frequently changed his bed, and ordered large companies of those he thought the most affectionate to him among his domesticks to keep watch, in arms, about his person, at night. By these anxious cautions he preserved himself from assassination ; and against those who attacked him with open war he took into his pay a strong body of Bretons, and brought over a great army of his best friends and subjects, the commons of England. This force joined to that of his nephew the earl of Blois, who continued very firmly attached to his interests, enabled him to withstand the revolt of the Normans, and the arms of all the

Idem. p. 846. Suger in vit. l. i. d. Grossi, p. 308.

Ord. Vit. l. xii. p. 843.

other enemies who had combined to destroy him. His good œconomy had given him wealth, and his wealth in this great exigence discreetly laid out preserved his dominions.

As I mean only to draw a sketch of these affairs on the continent, I shall pass over many circumstances and incidents of this war : but there happened one event of so extraordinary a nature, that it merits a particular notice. Eustace, lord of Breteuil, who had married Juliana, a natural child of king Henry, and had by that lady two daughters, being connected in friendship with Amauri de Montfort, was instigated by him to demand a strong castle, which was then held as a part of the ducal demesne, because it had been formerly possessed by his ancestors. The king, afraid at such a time to refuse almost any request, and yet unwilling to trust him with the castle, promised to grant it him after the war should be over, when it could be done with more safety, and gave the son of the governor, as a hostage, to secure to him the future delivery of it, taking in return his two daughters, as hostages for his fidelity during the war. But Eustace, who acted entirely under the influence of Amauri de Montfort, and by his advice was determined to revolt, cruelly put out the eyes of the boy, and sent him back to his father in that dismal condition. Henry was incensed to the highest degree at such an atrocious and insolent act of barbarity : the criminal himself was out of his power ; but he delivered up to the injured person the two young ladies, his own grand-daughters, whom Eustace had placed in his court, as hostages, and bade him take his revenge on them, as he should think good. The man inflamed with anger against Eustace, paid no regard to their innocence, or to the blood of his master, but inhumanly cut off the ends of their noses, and put out their eyes. Nor did Henry express any displeasure against him for

Idem, p.
848, 849.

Idem ibi-
dem. See al-
so *H. Hun-*
tingdon. de
mundi con-
temptu, p.
699. in *An-*
glia sacra,
vol. II.

for what he had done. On the contrary, to make him all the reparation he could, and shew that he did not resent the excess of his rage, he sent him back to his government loaded with honours and presents. So much did the severity of this prince's temper, founding itself on a notion of justice, over-rule in his breast even the most powerful sentiments and affections of nature! Ancient Rome would perhaps have admired him for this action, and the history of England has no other that comes up to the force of it : but though the principle on which it was done demands veneration, and no ordinary mind could be capable of it, the deed raises horror ; and one could wish, for Henry's honour, that he had found less direful methods to appease his injured servant, without inflicting on innocence pains that are only due to guilt, and in the persons of those whom the first and greatest of all laws, the law of nature, particularly obliged him to save and protect. His daughter Juliana was so much enraged at it, that she endeavoured to revenge the sufferings of her children by the murder of her father. The town of Breteuil, after the revolt of her husband, had been left by him in her custody ; but the burgeses delivered it up to the king : upon which she retired into the castle, and finding she could not hope to maintain it against him desired a parley with him ; to which he having consented, the furious woman, with her own hands, discharged an arrow at him out of a cross-bow : but, fortunately for them both, it did him no hurt. She was then compelled to surrender the castle and herself at discretion ; for Henry refused to grant her any terms. All who were with him stood in an uncertain and fearful expectation, to see in what manner a prince, so rigorous in his justice, would punish a daughter who had impiously made an attempt against his life. The event was much less tragical, than they apprehended.

*Ord. Vital.
at supra.*

ed. Impūting her intention of parricide to the violence and madness of grief, he would not let her suffer in life or limb, nor even deprive her of liberty for it, but took a strange method of exposing her to shame : for the draw-bridge of the castle being broken down by his orders, when she was to go out of it, he obliged her, in the sight of his wondering army, to let herself down from the rampart into the ditch, and wade through the moat, the water of which was not deep enough to drown her ; and with this brand of ignominy sent her to her husband : an indecent kind of revenge, which in truth dishonoured himself.

Malmfb. l.v.

f. 90.

Ord. Vit.

l xii. p. 843.

851.

Diceto ab-

brevi. chron.

sub ann.

1118.

Suger in vit.

Lud. Grossi.

p. 308.

His affairs were now brought to a more prosperous state. Baldwin earl of Flanders, the keenest enemy he had to contend with, and the most attached to his nephew, had been wounded in the face, by the lance of Hugh Boterel, in an engagement near Eu with some of the troops of Bretagne, during the autumn of the year eleven hundred and eighteen. His intemperance and incontinence, while the wound was under cure, made it mortal. Though he lived till the next summer, he was not able to act in the war against Henry ; who, being informed of his danger, expressed great concern, and even sent him his own physician, a man of eminent knowledge in his profession : but that help came too late. From the time that the earl received this hurt, the balance of power had turned in favour of Henry : yet he was not so elevated with his good fortune, as to forget that moderation and prudence, by which he had in all events directed his conduct. *He rather chose (says William of Malmfbury) to make war by counsel than by the sword ; and, conquered, if he could, without blood ; if not, with but little.* From these considerations he now acted. For, thinking of the remaining confederates, except the duke of Normandy, his most formidable ene-

A. D. 1119.

See Malmfb.

de H. I.

l. 92. c. 40.

who in this war had taken from him the town of Alençon, and totally defeated his forces, that came to the relief of it, he resolved to try if it might not be practicable to recover the friendship of that valiant prince, by completing the marriage they had agreed on before, which he rightly judged would be now more gladly accepted, as the hopes of his nephew's party were much abated. He therefore sent for Prince William, his son, from England, managed a secret negotiation with the earl, and all the articles having been privately settled between them, solemnized the nuptials at Lisieux in Normandy, with great satisfaction, in the month of June of the year eleven hundred and nineteen. Besides a large portion paid down, the lady brought her husband the reversion of Maine, which by the contract of marriage was settled upon him after the death of her father.

Ord. Vit.
l. xii. p. 847.
851.

See Malmsh.
l. v. f. 93.
c. 40. de H. l.

Thus, in the midst of this formidable war, which had threatened him with the loss of all his dominions, did Henry gain to his family one of the most considerable provinces in France. And soon afterwards, the earl of Anjou, going to the Holy Land, appointed that king to be guardian and regent of Maine, till he should return. But, before he conferred this obligation upon him, he interceded with him to pardon the son of Robert de Belesme; which Henry granted, and gave the young man the town of Alençon, with some other fiefs in that country, wisely desiring to take any occasion of sowing distrust among the confederates, by separate treaties, which he knew would produce a dissolution of the league. He then prosecuted the war with great vigour in Normandy, and would soon have concluded it, if the king of France, attended by William, Duke Robert's son, had not marched thither, to succour his friends. Henry, upon the first approach of that monarch, retired to Rouen, desiring to avoid, if he could, any hostilities against Louis

Ord. Vit.
l. xii. p. 851.
852.
Malmsh. de.
H. l. l. v.
f. 90.

Louis

Suger in vit.
Lud. Groff,
p. 309.
Huntingd.
l. vii. f. 218.
Diceto, Abb.
Chron. sub.
ann. 1119.

Louis in person : but the French having advanced within four miles of Rouen, and wasted the whole country with fire and sword, he found that his reputation began to suffer by the excess of his prudence, and therefore resolved to give them battle ; which he soon afterwards did, in the plain of Brenneville, near the castle of Noyon in the Vexin. Louis, who expected no opposition, and from the seemingly timid behaviour of the enemy had been induced to despise them, was much surprized, when he came into that plain, at seeing their army drawn up in excellent order, and hurried on by a rash impulse of precipitate courage, attacked them as soon as seen, without so much as waiting till he had formed his own troops.

The engagement was begun by the forces of the Vexin, under the conduct of William Clito, who, by the impetuosity of his charge, bore down and broke the first line of the English ; but was repulsed by the second, composed of Henry's household, and commanded by that king. Louis himself then brought up the main body of his army, which, being in no better order, was also defeated. Yet, during the heat of the action, Henry was in great danger. For William Crispin, a Norman knight, who was nephew to Amauri de Montfort, attacked him hand to hand, and struck him twice upon the head with his sword. He was preserved by his helmet, which was so finely tempered that it could not be penetrated, though by the weight of the blows it was beaten into his head, so that blood issued out ; and having recovered himself, he returned such a stroke on the crest of his enemy, that with the force of the shock both man and horse were thrown to the ground ; as some of the contemporary authors relate : but Ordericus Vitalis affirms, that Crispin was struck down by one of Henry's barons ; and adds, that the same nobleman generously covered him with his own body from

See Ord. Vit.
l. xii. p. 854.

from the rage of the Normans, who would have killed him for having assaulted the person of his master. Certain it is, that he was taken prisoner at Henry's feet. The battle at first had been only between horse: but the English rear, composed of infantry armed with pikes, coming up, the French cavalry did not dare to stand their attack. Many of the principal nobles of France were made prisoners; and Louis himself with great difficulty escaped the same fate; having fled into a wood, in which, for some time, he wandered all alone; and being conducted from thence to Andeli by a peasant he met, who did not know him. His horse and standard were taken; the last of which Henry kept, as an honourable trophy: but the horse he sent to the king, with all its accoutrements, and ordered his son to return that of William Clito, who had been also dismounted in the action. So perfect a victory over the French king in person was very glorious to him: yet having been won with more dishonour than loss to the French, it was not decisive; for they recovered their spirits, returned into Normandy, and again offered him battle, which he did not accept. He afterwards gained some other advantages in the war; but he only availed himself of them to bring on a peace, thinking *that* the best fruit, which, all circumstances considered, his success could produce, either to himself, or to his subjects.

Huntingd.
Diceto ut
supra.

Ord. Vit.
ibid. p. 855.

Ord. Vital.
l. xii. p. 856,
857. 863,
864, 865,
866, 867.
Suger, p.
309.
Malmfb. de
H. I. l. v.
f. 90.

About the end of the year eleven hundred and nineteen, Pope Calixtus the Second, being at Rheims in Champagne, made himself a mediator between the two kings: and Henry had the address, in a conference with him, partly by arguments, and partly by presents liberally bestowed upon him and his cardinals, to persuade him to give up the cause of duke Robert and William Clito, which he came very warmly disposed to serve. Louis, being thus deprived of the aid that he expected to have had

had from the papal authority, was likewise induced to forsake those unfortunate princes; which it was the more necessary for him to do, as Charles of Denmark, who had succeeded to Baldwin the Sixth in the earldom of Flanders, was much more inclined to assist than oppose the king of England. The greatest difficulty of the treaty consisted in this, that Henry had disputed the nature of the homage which the dukes of Normandy owed to the French crown, and had very publicly declared, that he never would pay it in the manner required, tho' both his father and William Rufus had submitted to it without any apparent reluctance. Louis would not give up the pretensions of his crown in so important a point; and it seemed an irremovable bar to the peace, which, on all other accounts, Henry greatly desired. But he found an expedient, which in some measure saved his own dignity, and contented the French monarch, viz. that his son William should be invested with the duchy of Normandy in his stead, and do homage for it in the accustomed form. This being agreed to, with a mutual restitution of places and prisoners taken on both sides during the war, the peace was made, to the satisfaction and honour of Henry, who, without any loss, had sustained all the efforts of so strong a confederacy, and came out of such a great and dangerous war, more respected and more powerful than ever before.

But his felicity, which now seemed so firmly established, was suddenly overturned by the most unhappy accident that ever humbled the pride of human wisdom. Upon his return to his kingdom, the ship, which carried the prince his son, and with him all the flower of the English nobility, having put out in the night from Barfleur in Normandy, by the great carelessness of the master and sailors, who were all drunk, struck on a rock that lay concealed under water, not far from the Norman shore.

The

Suger in vit.
Lud. Groff.
Malmib. lv.
f. 93.
Ord Vit.
l. xii. p. 866,
867.
Hoveden.
sub ann.
1120.

Ord. Vit.
l. xii. p. 867,
868, 869.
Malmib. de
H. l. f. 93.
l. v.
S. Dunelm.
sub ann.
1120.

The prince got into the longboat, and might easily have been saved, as the weather was calm; but moved with the sad cries of the countess of Perche, his natural sister, imploring him to take her into the boat, he commanded it to be rowed back again to the ship; when so many leaped into it, that it immediately sunk. Richard, one of Henry's natural sons, who had gained a great reputation in the last war; the countess of Chester, niece to the king, and sister to the earl of Blois; Richard earl of Chester, her husband; and Other, his brother, who was governor to the prince; a nephew of the emperor Henry the Fifth; and other illustrious persons, foreigners, as well as English, who had attached themselves to the person and fortune of Henry, or the rising hopes of his son, perished with the latter by this misfortune. When the ship was sinking, two persons climbed up the mast, and getting to the top of it, kept their heads above the water, which there was not very deep. One of these was a young son of Gilbert de Aquila; the other a butcher of Rouen. In this situation they remained a great part of the night; but the tender youth, being benumbed by the wet and cold, lost his strength, and recommending his companion to the mercy of God, fell into the sea and rose no more. The butcher, who was clad in a thick woollen garment and more hardy in his constitution, held out till morning; and being saved by some fishermen, who came from Barfleur, related the circumstances of this dismal event. The dead body of the prince was sought for in vain. Even the consolation of burying him was denied to his father. He had no grave but the ocean.

All the firmness and hardness of Henry's heart could not resist such a dreadful shock. At hearing the news he fainted; and it was some time before he recovered that composure of mind, which distinguished his character, and had never been ruffled

V. Malmsh.
& Ord. Vit.
ut lup.

Malmsh. de
H. l. f. 93.
l. v.
Eadm. hist.
nov. p. 36.
Huntingd.
l. vii. f. 218.
c. 20.

See Ord. Vit.
l. xii. p. 875.

See Malmsh.
de H. l. l. v.
f. 88. c. 40.

Ord. Vit.
l. xii. sub
ano. 1122.
Malmsh.
f. 93. l. v.

sied on any other occasion. Indeed he had reason to grieve extremely, both as a father and a king. The prince had been always dutiful; and if we may judge of his nature from the act of humanity which cost him his life, or from what is said of him by William of Malmshury and Ordericus Vitalis, it was amiable and hopeful in all respects. His death left the succession to England and Normandy quite undetermined, as Henry had no other legitimate son: and an undetermined succession is always an evil to the person on the throne, but especially, where his own title is in dispute. Henry feared this ill consequence, and having buried his wife, Matilda, about two years before, he now determined to marry again, in hopes of posterity; and chose Adelais, daughter of Godfrey duke of Louvain, chiefly on account of her excellent beauty, his great object being to have an heir; yet not without some attention to his interests in other respects, as by her mother she was niece to the pope. But she brought him no child; and because he was then in the decline of life, two years were scarce over, when many of his subjects began to turn their eyes towards the son of duke Robert. The reputation, which that prince had gained by his valour, in the last war, gave his pretensions new weight in the opinion of the public. England indeed was too firmly attached to Henry, and in too quiet a state of peace and obedience, for his nephew's adherents to make any impression upon that nation, while he was alive: but Normandy being more open to the power and influence of the French court, and the nobility there more ready to revolt, from long habits of faction and a greater facility of escaping from punishment, a very considerable number of them engaged with Prince William; and they were supported in their conspiracy by Fulk earl of Anjou, who, having returned from Jerusalem in the year eleven hundred and twenty-one,

one, required that the portion he had given with his daughter should be repaid, because the marriage had not been consummated. This Henry refused, which, together with the solicitations of Amauri de Montfort, induced the earl to quit his party and side with his nephew; or rather gave him an excuse for taking the part, which at this time a greater interest seemed to require: for there was good reason to believe, that Normandy now, and England hereafter, would fall into the hands of that brave young prince; whom therefore the earl was desirous of marrying to one of his daughters, that, by means of this alliance, his family might regain all the dominions it had lost by the unfortunate death of Henry's son. His eldest daughter, that prince's widow, had taken the veil; but he had another named Sibylla, whom he now contracted to William Clito, the son of Duke Robert, giving for her dower the earldom of Maine.

Thus was Henry forsaken by that ally, whom he had endeavoured most strongly to fix in his party, and whom, of all his enemies, he feared the most. But his prudence and fortune did not forsake him. By attacking the conspirators before they were ready he took some of their castles; and not long afterwards most of their leaders fell into his power, being surprised on a march near Bourg Teronde, by a detachment drawn out of the neighbouring garrisons, under the conduct of Ranulph de Bayeux, governor of Evreux, Odo de Borleng, a gallant old officer, and William de Tankerville, Henry's great chamberlain. The victory was complete, though very little blood was shed in the action. The earl of Meulant, son to the king's late favourite minister, and who, though bred in his court, nay almost in his bosom, had most ungratefully revolted against him, Hugh de Montfort, brother-in-law to that earl, with many other barons and knights of great distinction, were forced to yield themselves prisoners;

Ord. Vit.
l. xii. sub
ann. 1123,
1124.
Huntingd.
l. vii. f. 219.
Hoveden.
f. 273. p. 1.

their horses being killed under them, before they had struck a single stroke, by a body of archers, whom Odo de Borleng had posted in the front of the English line : at which disaster all who were with them were so much intimidated, that they immediately fled, without fighting. Amauri de Montfort, who had been the incendiary of this and many other preceding revolts, was pursued in his flight and taken by a young nobleman of Henry's household, William de Grandcour, son to the earl of Eu : but he prevailed upon that lord to set him free, and even go with him into exile himself, rather than deliver him up to Henry's resentment, from which no mercy could be expected : an extraordinary instance of address in the one, or generosity in the other ! Among the prisoners was a French knight, named Luke de Barre, who in the former war had been taken by Henry and generously freed, his horses and other goods being all restored to him : but forgetful of this benefit, he not only joined again with the enemies of that king, but wrote satyrical ballads against him, and publicly sung them himself. For this offence he was tried in Henry's court at Rouen, and condemned to lose his eyes ; which he refused to submit to, and struggling with the executioners, dashed out his own brains against the walls of the prison. Two others had the same sentence inflicted upon them, as rebellious and perjured vassals : the rest were closely imprisoned, for several years, or for life.

All the hopes of William Clito were blasted at once by this defeat. Many who designed to join him were stopped, many who had declared for his party forsook it, and the earl of Anjou himself, too apt to change with the changes of fortune, submitted to obtain a dishonourable peace, by renouncing his friendship and even expelling him out of all the Angevin territories, after his contract of marriage had been dissolved, by a sentence of nullity procured from

Malmsh.
i. 99. l. i.
Hist. nov.
S. Dunelm.
p. 255.
Ord. Vital.
l. xii. sub
ann. 1124.

from the pope, on the usual pretence of the consanguinity of the parties, though they were no nearer related than the earl's other daughter was to King Henry's son, the legality of whose marriage had never been disputed. That monarch had no enemy left to contend with, except the king of France, who had abetted the revolt of his subjects, notwithstanding the peace, which had been concluded between them a few years before. He thought he had now a fair opportunity of revenging himself for the past and preventing any future attacks from that quarter. His son-in-law, the emperor Henry the Fifth, had made his peace with the pope two years before, but retained in his heart a sharp resentment against Louis le Gros, for having permitted a sentence of excommunication to be fulminated against him, during his quarrel with Rome, in the council of Rheims. This was known to the king of England, with whom he lived in close friendship, and who incited him, now, when the censures of the church were taken off from him, and all his enemies in the empire subdued, to turn his arms against France, and lay in ashes that city, where the imperial majesty had received so great an affront; promising at the same time to attack the French territories, on the borders of Normandy. The emperor, pleased with the proposal, agreed to it, and, at the head of an army, which (as some authors affirm) consisted of no less than two hundred thousand men, prepared to penetrate into Champagne. Never was an enterprize better concerted, and never did France appear to be in more danger. But that kingdom was saved by a surprising concurrence of all the vassals of the crown to defend it, notwithstanding the private quarrels, and separate interests, which usually kept them divided and broken into different parties. Since the time of Charlemagne there had never been known such a perfect consent of the several members that composed

Suger in vit.
Lud. Groffi,
p. 312, 313.

sed the French monarchy, to act together, as one body, under one head. Even the earl of Blois, so nearly related in blood to Henry, and who, for his sake, was now engaged in a war against Louis, ranged himself under the banner of his sovereign, against a foreign invader. The forces of so many princes, united to those, that were levied by the king himself from his royal domains, made up an army more numerous than that of the emperor, who had hoped to surprize Louis, and to find many of his vassals ill disposed, or, at least, indifferent to him : in which seeing him'self so much disappointed, he took the pretence of some disorders in Germany, to turn his arms thither, and left the king of England to carry on the war, as well as he could, by himself. That prince had been stopped from making any incursion upon the French borders, by Amauri de Montfort ; or rather, agreeably to his accustomed caution and prudence, he delayed to advance, till he saw how the emperor would perform his engagements. And certainly, if, upon the retreat of the Germans, the king of France could have prevailed on his army to march against the dutchy of Normandy, he might have driven out Henry, and either have given it in fief to the son of Duke Robert, or annexed it to his royal domain. But Henry had in that army many powerful friends ; and even his enemies made a distinction between the cause of the nation and the quarrel of the king. The vassals of France were not disposed to oppress another vassal, and encrease too much the power of the crown. Henry's intrigues with the emperor were suspected, but could not easily be proved : he had not been the aggressor in his war against Louis ; but seemed to act on principles of self defence : the emperor alone was considered as making an offensive war against France ; and he being repulsed, the feudatories of the crown thought they had done all, that their duty to their sovereign,

sovereign, or the general interest of the kingdom required. From the account given of it by an historian, who served himself in the French army upon this occasion, it does not appear, that the attacking of Henry in his dutchy of Normandy was so much as proposed by Louis; though it was agitated in the council of war, whether, in revenge of the emperor's intended invasion, they should not immediately invade the empire. Henry being therefore left unmolested, the war ceased between him and the king of France, without the ceremony of any formal treaty of peace; and he remained quite master of Normandy; where he endeavoured to strengthen his government by rigorous punishments, inflicted on those who had revolted against him, and liberal rewards bestowed on his friends. His only uneasiness was the want of an heir: for he had now but little hope of having one by his queen; and till the succession was settled he knew that the spirits of his nephew's adherents would be kept up, and that every day which should be added to his own age would lessen his power, and carry the attention and regards of his subjects towards that young prince. While he was disturbed with these thoughts, the emperor, his son-in-law, died without issue, on the twenty-fifth of May in the year eleven hundred and twenty-five. Upon this event he immediately sent for his daughter, whom he had always loved very tenderly, and who was become still more dear to him by the loss of the brother, with an intention, which discovered itself presently afterwards, to make her heiress of all his territories, if he should die without a son. William of Malm-bury says, she left Germany with some regret, and would have chosen to live there on her dower: but (if this be true) she must have been ignorant at that time of her father's design: for certainly she was of a temper to have exchanged very gladly her lands in the empire, where she could no longer hope to

V. Suger in
vita Lud.
Groffii, ut
supra.

A. D. 1125.

See Malmbr.
hist. nov. l. i.
f. 99. sub
ann. 1126.

Malmfb.
ibidem.

Neubrigenf.
& Malmfb.
ut fupra.

have any authority or fhare in the government, for the reverfion of the kingdom of England. Her ftrongeft paffion was pride ; and the mere title of a dowager empress could not gratify that fo agreeably, as the folid enjoyment of royal power. It does not appear, that after ſhe came to her father in Normandy he took any meafures to get her right of fucceffion acknowledged there ; for he rather choſe, as it was an affair of much difficulty, to make the attempt firſt in England, where, from an habitual reſpect and obedience paid to his will, he was moſt ſure of ſucceſs ; and hoped that the Normans would follow the example ſet by the Engliſh. Yet, ſtrong as his authority was in that kingdom, it was not without *great and long deliberation* (to uſe the words of William of Malmſbury) that the parliament would give their conſent to this ſettlement of the crown on a woman. But that conſent being obtained, all the barons, and other members of that aſſembly, who were of any importance, did, in conſequence of it, at the requeſt of the king, ſwear to receive for their queen the empress Matilda, if he ſhould die without leaving a legitimate ſon : the archbiſhop of Canterbury firſt taking the oath, and after him the biſhops and abbots ; then the king of Scotland, uncle of the empress, at the head of the laity, on account of the fiefs he held of the Engliſh crown ; next to him Stephen of Blois, earl of Boulogne and Mortagne, and grandſon to William the Conqueror ; in the third place Robert earl of Glouceſter, the eldeſt of king Henry's natural ſons ; and then all the other barons. But betwixt the earl of Boulogne and the earl of Glouceſter there was a diſpute about precedence ; not (as I apprehend) which ſhould be foremoſt to ſhew his zeal for Matilda's ſucceſſion (though that might be the pretence for it) but to determine a queſtion of the greateſt conſequence if ſhe ſhould die before the king, namely, which of the two was neareſt to the throne.

throne. And its being now decided in favour of Stephen, on account of the illegitimacy of his competitor, was of no little service to him afterwards, even against Matilda herself; as he was thereby acknowledged *first prince of the blood*: for the precedence given to the king of Scotland might be rather considered as a compliment paid to his royal dignity, than as having any regard to the relation he bore, by a descent from the line of the ancient English kings, to the crown of this kingdom. It also removed out of the way of Stephen a very considerable obstacle to his ambition, by the discouragement it gave, in the eye of the public, to the earl of Gloucester's pretensions, who wanted not precedents, either in England or in Normandy, to authorize his aspiring to the throne of his father, in default of lawful issue male. But a solemn determination, which assigned the precedence to the nephew of the king above his natural son, was a pre-judication of the right succession in favour of the former.

This important affair being settled in this manner, to Henry's satisfaction, he saw with less uneasiness some clouds that were gathering in the French horizon at this time. Louis le Gros, to whom he obstinately refused to do homage for the duchy of Normandy in the accustomed form, partly on that account, and partly from sentiments of generosity and compassion, continued to protect his nephew William Clito; strongly recommending the cause of that young prince to all the vassals of France, and entreating their aid to restore to him the dukedom, his unhappy father had lost. The hopes of his party were revived by this support; but they soon became very sanguine, when, after a dissolution of his contract of marriage with Sibylla of Anjou, Lewis gave him, in her place, a sister of his own queen, and, as a dower to that lady, the province called the French Vexin, with the three

Ord. Vital.
sub ann.
1127.

Ord. Vit.
et Hun-
tingd. sub
ann. 1127.
Malmfb.
hist. nov. sub
eodem ann.

adjacent towns of Caumont, Mante, and Pontoise. Nor yet was this the most favourable change in his fortune. For, not long afterwards, Charles, surnamed the Good, earl of Flanders, having been murdered at Bruges by some of his subjects, Louis granted to this prince the investiture of that earldom, to which, as being a great grandson of Baldwin the Seventh, he seems to have had the best claim.

Henry was justly alarmed at this revolution. His nephew was now a much more formidable enemy than ever before. The dominion of Flanders, a rich and powerful state might probably give him the means of conquering Normandy with the assistance of his many adherents there, after which an attempt on the realm of England itself might be made from both countries. Against this danger, which further confederacies might encrease, Henry saw, in that instant, no better security, than the corroborating of his alliance with Fulk earl of Anjou, by marrying his daughter to the son and heir of that prince. He might undoubtedly have found a much greater match for her, but he knew that no potentate, whose dominions were situated at a distance from his, could hurt or serve him so much as the family of Anjou; and preferring solid strength to high and empty names, resolved to secure their friendship, as he had done once before, by making his interest theirs in all events. But it is very surprising, that none of the historians who mention this match should take any notice, that a dispensation for it had previously been obtained of the pope: for we cannot suppose it could have been made without one; because there was exactly the same degree of relation between the son of the earl of Anjou and the daughter of Henry, as between Sibylla of Anjou and the son of Duke Robert, whose contract of marriage the pope had lately

See Ord.
Vit. l. iv. p.
838. et l.
xii. sub ann.
1127.
Malmfb. hist.
nov. f. 59. l.
i. S. Du-
neim. p.
255.

See Gul.
Tyrinus de
bello sacro,
l. xiii. c. 24.
l. xiv. c. 1, 2.

lately dissolved, upon no other pretence than their being too nearly related.

While this alliance, which the publick was far from suspecting, remained a matter of private negotiation between the two families, a contingency happened, which added much to the dignity of the Angevin family, and rendered the match more desirable to Henry upon other accounts. Baldwin, king of Jerusalem, the second of that name, not having any male heir, sent to offer the succession to the earl of Anjou before-mentioned, on condition of marrying his eldest daughter. The cause of this unsolicited and unlooked for invitation was the high esteem which the king, his nobles, and people, had justly conceived for that prince, who, not long before, had brought over into Palestine a hundred knights, for the defence of that country; and had so behaved himself there, that notwithstanding a great disproportion in their age, he was thought the best husband they could find for the princess. Though he knew to what perils her father's crown was exposed, he did not long hesitate to accept a proposal so honourable to him, but, generously sacrificing his ease to his glory, resigned all his ample territories in France to his son, Prince Geoffry Plantagenet, who had not yet attained his sixteenth year, but in body and mind was more mature than is usual at that age. We are told by some authors, that the surname of Plantagenet, which descended from this Geoffry to many English kings, and became more illustrious than any other in Europe, was derived from a sprig of heath, or broom, which he was accustomed to wear on the crest of his helmet. The present possession of Anjou, Touraine, and Maine, brought the treaty, then begun, between him and the king of England, for the hand of Matilda, to a speedy conclusion. It had been carried on with such extraordinary secrecy, that the

news

Malmsh. hist.
nov.
Huntingd.
Chron. Sax.
omnes sub
ann. 1127.

Huntingd.
et Chron.
Sax. sub ann.
1127. et
1128.
Ord. Vit. l.
xii. p. 885,
886, 887.

news of it surprized, not only the king of France, but Henry's own council. The barons of England and Normandy were not pleased that a marriage, on which they thought they had a right to be consulted, should have been concluded so hastily, and without their advice. But none of them dared to declare their discontent by any publick act, because the power of the king was soon afterwards greatly strengthened by favourable events.

The rigour with which William Clito, after he was made earl of Flanders, had taken vengeance on all the accomplices in the murder of his predecessor, though it was really a laudable act of justice, so exasperated their friends, who were many and powerful, that, while he was employed in an attack upon Stephen, earl of Boulogne, they invited Theodorick, landgrave of Alsace, who had some pretensions to Flanders, by right of inheritance, but in a degree more remote, to assert his claim, with their help. Whatever objections there might be against his title, Henry, for his own sake, was desirous to support it, and engaged the earl of Blois, his inseparable ally, to accede to their league. Theodorick, thus encouraged, came from Germany into Flanders, with a good body of troops; and, immediately on his arrival, the faction, in pursuance of the promise they had made, delivered up to him Ghent, Lisle, and several other strong towns; while Henry made a diversion on the borders of Normandy, by which he drew off the French king, William Clito's best ally, from giving him aid in this war. Yet that prince, with undaunted courage, and by the resources he drew from the zeal of his friends, supported his own cause; many Normans assisting him, out of love to his person, at the expence of incurring a total forfeiture of their lands in the dutchy of Normandy. While he was at Ipres, a conspiracy was formed, by some of the Flemings, to surprize, by night,

night, the fort in which he lay, and kill him there. For the execution of this treason they had taken their measures so unsuspected by him, and with such advantages, that it probably would have succeeded, if it had not been discovered by a young girl in the town, with whom he privately carried on a love intrigue. Having been trusted with the secret by some of her family, she could not help bursting into tears, at the sight of her lover, in a visit he made her; of which he earnestly insisted to know the cause, and adding threats to entreaties, she revealed to him the whole plot: whereupon he immediately assembled his friends, and taking with him his mistress escaped out of Ipres: after which, to secure her against all future danger, he sent her away to the court of William the Ninth, duke of Aquitain, with whom he had contracted the closest and most inviolable league of friendship, by what was then called a *fraternity of arms*. To him he recommended his fair deliverer, and desired him to procure her an honourable match. This act of gratitude being done, he got a sentence of death to be legally past upon all concerned in the plot, as assassins and traitors, and laid close siege to the castle or citadel of Alost, one of those which had revolted from him to the landgrave, exposing his own person, in every attack, with so much intrepidity, that he might have been blamed for his rashness, if an excess of courage could ever be a fault in a prince, whose sword was to cut him a way to the throne of a kingdom, which he looked upon as his birthright usurped by another. The castle being reduced to the last extremity by these efforts, the landgrave, endeavouring to raise the siege, fought a battle, in which his troops at first were victorious; but William Clito, when he saw his men give ground, brought up a reserve of fresh forces to their aid, and valiantly charging at
the

REVOLUTIONS of ENGLAND

the head of them himself defeated the enemy. After this glorious success, returning immediately to the siege of the castle, he found at the gates a party of the garrison, who had made a sally to assist their friends in the battle, and pursued them to the rampart; where, catching at a pike, which was held out against him by a common foot-soldier, he received a wound in his hand, which penetrated from thence to the wrist, and, by an ill habit of body, or the unskilfulness of his surgeons, turned to a gangrene, of which he died in five days.

Thus perished this brave prince, in the very flower of his age, and just at a time, when, after long contending with the malice of fortune, he began to have hopes of being raised to a greatness superior to that of his most illustrious ancestor, William the Conqueror himself. If he had survived his uncle, he would, in all probability, have been earl of Flanders, duke of Normandy, and king of England. But he was cut off, with this flattering prospect before him, and all the family of Duke Robert in him: for his new-married wife had not brought him any child. In this manner did Providence open a way to the future restoration of the Saxon royal blood in the posterity of Matilda, King Henry's consort, which the life of this prince might for ever have excluded from the throne of this realm.

A little before he expired he gave a strong proof of the goodness of his nature: for he sent a son of Odo bishop of Bayeux, who, among other Norman gentlemen, disaffected to his uncle, had followed his fortunes, with letters to Henry written on his death-bed, in which he implored him to forgive whatsoever he had done to offend him, and receive his friends to mercy: an act of humiliation, to which his high spirit would never have submitted, if it had not been softened and subdued by the

the sentiments of a heart, in which friendship prevailed over resentment and pride. Henry was touched, or desired to appear to be touched, by so affecting a message, and treated all, who, in confidence of this recommendation, came and submitted themselves to him, with great kindness; advancing some of the most deserving among them to the highest degree of his favour: for he well understood that he now had nothing to fear, and that, in certain situations, clemency is policy. As to the earldom of Flanders, though he might have claimed it himself from his mother Matilda, yet, he thought it wiser, and more decent, after the part he had taken, to confirm the possession of it to the landgrave of Alsace. Stephen earl of Bologne, and several Norman barons who held lands in Flanders, were obliged by him to acknowledge the title of that prince, who, to strengthen and confirm this political union by a family connexion, married Sibylla of Anjou; all which so intimidated the court of France, that, without doing homage for his duchy of Normandy, Henry remained undisturbed by any war with that crown during the rest of his life. His great reputation was indeed a strong bulwark to him and his people, which kept them safe from attacks of foreign powers; and his temper inclined him to hold what he had got, in honourable peace, rather than run any hazards, or disquiet his age, from an ambitious desire of acquiring more. The chief object of his thoughts was how to secure the settlement he had made of the succession to his crown in favour of Matilda. With this view, at his return from Normandy into England, after the death of his nephew, in the year eleven hundred and thirty one, he brought over that lady; and, in a very full parliament, held at Northampton, obtained an oath of fealty to her, as heiress to his kingdom, from some of the barons, who, on account either of absence or

See Malmsh.
hist. nov.
f. 100.
Ann. Dom.
1135.

See Ord.
Vit. p. 900.

of

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Huntingd.
f. 220. l. vii.
sub ann.
1131.
Brompton.

Dicet.
Abbr.Chron.
sub ann.
1135.

of nonage, had not yet taken that oath, and a renewal of it from those who had engaged themselves to her before her second marriage. But she herself did not easily submit to a husband so much below her own rank. This arrogance had produced a coldness between them : for he had a spirit which could not bear contempt, and was dissatisfied with her father, for not having put him into immediate possession of the dutchy of Normandy, or at least of some part of it, as by the treaty of marriage he been made to expect. But prudence on all sides prevented these discontents from breaking out, at this time, into an open quarrel ; and the earl having sent to solicit the return of his wife into Anjou, soon after she had received the homage of England, her father consented, by the advice of his barons, to let her go to him, and she obeyed without any apparent reluctance. In less than two years from that time she brought him a son, who was named Henry, after his grandfather, the king of England, and lived to obtain the imperial crown of that kingdom, not by an easy course of inheritance or descent, but by making his way to it through infinite difficulties, and to wear it with a degree of power and glory surpassing that to which any of his royal predecessors had ever attained.



THE
HISTORY
OF THE
LIFE
OF
King Henry the II.
IN FIVE BOOKS.
BOOK I.
IN WHICH IS ALSO CONTAINED
The Reign of King STEPHEN.

HISTORY

OF

King Henry the 11th.

IN FIVE BOOKS.

By JOHN GOWER.

Translated by JOHN GOWER.

The Reign of King Henry the 11th.

THE
HISTORY
OF THE
LIFE
OF

King Henry the Second.

IN FIVE BOOKS.

BOOK I.

HENRY PLANTAGENET was born at Mans, A. D. 1133.
in March eleven hundred and thirty three. See Diceto
He had the advantage of being descended both Abb. Chron.
from the Saxon and the Norman kings of Eng- p. 505.
land. Yet it must be observed that he had not an Ord. Vit.
hereditary right to the kingdom, by a lineal and p. 763.
regular course of succession from the Saxon royal
family. For the daughter of Margaret, Edgar
Atheling's sister, could not inherit her rights be-
fore her sons; and therefore neither Matilda, the
wife of Henry the First, nor her daughter, the
mother of Henry Plantagenet, were lineal heirs to
the Saxon crown: but after the death of Edgar it
must have devolved to David king of Scotland,
and to his posterity after him. Nevertheless the
relation of Henry Plantagenet to the Saxon royal
blood was enough to capacitate him to succeed to
the government, according to the ancient cus-

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N

toms

See Diceto
Abb. Chron.
p. 505.
Hoveden,
f. 275.
Hagustalden.
p. 312.

toris of England, which have already been explained in the preceding book. King Henry, his grandfather, met with no difficulty, in bringing all the bishops and barons of that kingdom to take an oath of fealty to him, as heir to the crown after the death of Matilda, and to repeat that which they twice before had taken to her. This was done the same year in which the young prince was born; and Normandy followed the example of England, though it does not appear that the Normans had before concurred with the English in acknowledging Matilda's right of succession; there being no mention in any author who lived near those times of their having bound themselves to it by any feudal engagements: but the birth of her son, and the triumphant state of King Henry's affairs, induced them now to agree with him in settling their dutchy, as he had settled his kingdom. The following year, his brother Robert died, in the castle of Caerdiff, pitied, but not regretted.

Ord. Vit.
p. 900. l. xii.

Upon the decease of this prince, preceded by that of his only child, William Clito, the elder line of the royal family being extinct, Henry believed, with the most assured confidence, that no competition could be able to shake the settlement he had made. And during the course of the two following years, two younger sons, named Geoffry and William, were born of Matilda: so that the happiness of the king, her father, would have been now compleat, if it had not been disturbed by a domestick uneasiness. The earl of Anjou, his son-in-law, who was just of an age to entertain the most eager desires of ambition, felt and expressed much resentment, at not being admitted to some present share of dominion in Normandy, with an expectation of which, it seems he had been flattered, when his marriage was concluded. But Henry, like his father, esteemed it good policy, to throw out hopes of that nature when occasion required,

quired, and defer their accomplishment as long as he possibly could. *He was not inclined* (says one of the best contemporary historians) *to make any person his master, or even his equal, either in his house or in his government, carefully attending to the words of divine wisdom, that no man can serve two masters.* It may reasonably be presumed that the promise was given with some ambiguity, or under some limitations, which afforded a pretence to deny or delay the performance: but Geoffry claimed it as absolute; and after having waited some time to no purpose, began to encourage seditions in Normandy, and endeavour to form a party there for himself. Nor did he only offend his royal father-in-law by these intrigues, but shewed so little respect for him, even in family points, that upon a dispute with the viscount of Beaumont, one of his own vassals in the earldom of Maine, who had married a natural daughter of the king, he treated that lord with the utmost severity, and burned his castle to the ground. Matilda was far from acting the decent part of a mediatrix between him and her father. With the title of empress she retained all the pride of that dignity, and could but ill endure to see herself sunk into a countess of Anjou. This haughty disdain of her husband and perhaps, a desire to hold her future power independent on him, made her inflame, instead of moderating, the king's displeasure against him.

See Huntingd. et Hoveden, in fine H. I. An. Waverlen. sub ann. 1135.

Henry was so disquieted and alarmed with apprehensions of what these broils might produce, that he durst not leave Normandy, though advice was sent to him from his administration in England, of the Welsh infesting his borders. To the vexation this gave him some historians of that age impute his death, which by others is ascribed to a surfeit of lampreys; and it might be owing to both; for though he was usually temperate in eating and drinking, that kind of food, which, we

A. D. 1135.

are told, was particularly disagreeable to his constitution, meeting with a habit of body disordered by a great disturbance of mind, which might be very noxious to one so aged as he was, especially when his blood had been heated with hunting. Thus far we know, that having dined upon that fish, after his return from a chase in the forest of Lyons near Rouen, he was seized with a fever, which, on the seventh day from the time of his being taken ill, put an end to his life. When he found himself dying, he declared, in the presence of Robert earl of Gloucester, his natural son, and a large assembly of nobles, who came to know his last will, that he bequeathed both England and Normandy to his daughter Matilda, and to her posterity after her, in a perpetual legitimate succession; not taking any notice of the earl of Anjou, her husband. Then having performed very decently all acts of religion prescribed by the church of Rome, he expired, with marks of contrition and penitence, on the first of December, eleven hundred and thirty five, the sixty seventh year of his age, and the thirty sixth of his reign.

I shall not enlarge on his character in this place, as I design to compare it, in the conclusion of my history, with that of his grandson. He was, without question, a great man, and upon the whole a good king. It is from his reign we must date the first regular settlement of the Anglo-Norman constitution. A rough draught of it indeed had been sketched out by William the First; but was defaced by his tyranny and by that of his successor: Henry gave it consistency, strength, and duration. The principle of it was founded in *liberty*, as fealty and homage were not unconditional, but were always understood to require a return of protection and of justice; the obligation being reciprocal between the lord and the vassal in every

Huntingdon
et Hoveden
ibidem.
Hagustald.
sub ann.
1135. Ord.
Vit. p. 901.
l. xiii.
Malmfb.
hist. nov. f.
100.

See Joh. Hagustald, p. 258. de gest. Reg. Steph. p. 309, 310. Ord. Vit. l. xiii. p. 902. Gest. Reg. Steph. l. i. Malmfb. f. 91. l. v. Huntingdon, l. viii. f. 221.

every degree of subinfeudation: a policy inconsistent with any idea of *right divine* in a tyrant. It had also this inherent and essential advantage, that the very service required of the military vassals necessarily put arms into the hands of almost all the considerable land-holders. Nevertheless it was faulty in many points of great moment, and particularly in this, that the commons of England, till long after these days, were much over-balanced in property and power by the clergy and the nobles. The royal authority was too weak in some respects, and too strong in others; nor were the bounds of it well fixed, or clearly defined. The kind of sovereignty exercised by the barons over their vassals, however subordinate in the sense and intention of the law to that of the crown, in fact encroached upon it a great deal too much; from whence there arose perpetual struggles between them and the king, which kept the state in a ferment very unfavourable to agriculture, commerce, and arts. It must be also observed, that the temper of the nation was, by the military genius of this constitution, so impelled to war, that, when they were not led out, to make it in foreign countries, they naturally fell into civil commotions: and thus a spirit of conquest, however improper to our insular situation, and destructive to that which ought to be the sole ambition of England, the increase of its trade, was rather encouraged than restrained in our kings by their parliaments; and some of the best of those kings engaged in unnecessary wars on the continent, less perhaps from a desire of acquiring new dominions, than of preserving tranquillity in those of which they were possessor.

The *middle powers* interposed between the crown and the people were indeed so many barriers raised against despotism: but the abuse of these powers, when not properly controuled by a vigorous exercise of the royal authority, was sometimes as op-

pressive as despotism itself; and the people then suffered all the evils of slavery, under the appearance of freedom, without the advantages of union and concord, which monarchies pure and unmixed are framed to procure.

Yet though from these, and many other defects or faults, which will be distinctly marked out in the course of this work, the plan of government settled by Henry the First was very imperfect, and far less eligible than that under which we now live, he seems to have modelled it as wisely, as the state of the nation, and the general temper of those times, could well admit. Gradual improvements were made upon that plan; some by his grandson, Henry Plantagenet; but the original faults of it were not wholly removed, till many centuries after, when great alterations having happened in the balance of property, from many causes combined, a more *extensive*, more *equal*, and more *regular* system was happily established.

It has been the singular fortune and wisdom of England, that whereas France, Spain, and other realms, in which much the same feudal policy had heretofore taken place, have through an impatience of the oppressions which the people often suffered from the nobility, desperately run into absolute monarchy, or have been compelled to yield to it by force of arms; in the change which has gradually happened in ours, all that excess of power, which the nobles have lost, has been so divided between the crown and the commons, that the whole state of the kingdom is much better poised, and all encroachments of any one part on the other are more effectually restrained. Yet still *the best principles* of the ancient constitution, and some of the *great outlines* remain, viz. the legislative power in the king, and general assembly of the nation; the executive in the king, but under an obligation
of

of advising with the parliament, as his great council; a right in that assembly to call the ministers of the crown to account, and represent to the king the interests, the complaints and the desires of his people; a privilege in the subject to be exempt from any arbitrary or illegal taxations; trials by juries, and other good customs, derived from our Saxon ancestors, and confirmed by the charter of King Henry the First. Nor can we refuse some grateful praise to the memory of a prince, under whose auspices those rights were established, which at the distance of more than six hundred years, are the great basis whereon our freedom is founded.

The measures Henry had taken to secure his dominions to his daughter and grandson would have succeeded, if human prudence could always regulate the changeable course of future events. But they were defeated by accidents which it was impossible for him to foresee, and by the perfidy of those upon whose faithful attachment to him and his family he had the greatest reason to believe he might safely depend. It happened that his daughter, at the time of his death, was in Anjou with her husband, employed in some important business of that province. The earl of Gloucester, her natural brother, who by his great abilities and credit in England might have maintained her interests in that kingdom, was also abroad, being detained in Normandy, as executor to the will of his father in his Norman affairs. Their absence at this crisis inspired Stephen earl of Mortagne and Boulogne with the hopes of gaining the crown; or (which is more probable) only facilitated a design he had formed, during the life of King Henry, in concert with his brother the bishop of Winchester. He was of the royal family, being a grandson of William the First, by Adela, his fourth daughter: and therefore, if he had been

A. D. 1135.
K. Stephen.

Malmsh.
hist. nov. l.
i. f. 101.

Ord. Vit.
l. xiii. p. 901.

nominated by the late king, with the consent and approbation of parliament, or if no other had been so nominated, he might have been capable of succeeding to the crown, according to the principles of the Anglo-Norman constitution, in preference to Matilda, or to his own elder brother, Thibaud earl of Blois, who had not, like him been naturalized in England. He was also allied to the Saxon royal family; having married Matilda, the daughter of the earl of Boulogne, by Mary of Scotland, a young sister of Henry's first wife; so that she and the empress were first cousins, and descended equally from the princess Margaret, sister to Edgar Atheling. But from all these pretensions he was cut off by the settlement, which Henry had made with the concurrence of parliament; and more especially by his own act; having no less than three times, in the sight of the whole nation, sworn to maintain the succession of the empress, before and after her marriage with Geoffry Plantagenet, and on the birth of her son Henry, to whom also he took an oath, as heir to the kingdom after her decease. But all these engagements were too weak to restrain his ambition, which opportunity tempted and inflamed. To the guilt of perjury he added that of the blackest ingratitude: for his uncle had bestowed many favours upon him, having procured for him a match by which he obtained the earldom of Boulogne, one of the richest in Europe, and some very considerable possessions in England, given by William the First to the family of the lady he married. Henry had also conferred upon him other liberal grants of honours and lands within this realm, had given him in Normandy the earldom of Mortagne, and had made his younger brother abbot of Glastenbury, and bishop of Winchester. But benefits heaped on ambitious men are no ties to secure their fidelity: they only enable them, when their interest

See Malmsh.
hist. nov.
f. 100.
Diet. Abbr.
Chron. p.
505. Hoveden, p. 275.

rest requires it, to hurt their benefactors. All these riches and dignities were so many steps, by which Stephen was assisted to mount that throne, which his gracious master had designed to leave to Matilda.

Indeed that designation was liable in itself to great objections, had any opposition been made to it at the proper time. For there still remained in that age inveterate prejudices against the idea of a female dominion. In all the history of the Anglo-Saxons, since the first day of their settling in Britain, there is but one instance of a lady's being allowed to succeed to the crown, viz. Sexburge, the wife of Cenwalch king of the West Saxons. She reigned but a year, and Matthew of West-
See Math. of West-minster, sub ann. 672.
 minster says, *she was expelled with disdain by the nobles, who would not fight under a woman.* This account is the more credible, because if we look back to the first origin of monarchical power in all the German nations, we shall find that among them the office of a king grew from that of a general, and always implied a military command; for which the softer sex being less fitted by nature, they might therefore be supposed improper to reign. From the dissolution of the heptarchy down to this period the crown of England was never placed on a female head. Nor had the Normans any example of the sovereignty among them being vested in a woman, from the foundation of their dukedom in France; or in the kingdoms of Denmark and Norway, from whence they came: so that Matilda's succession was no less a novelty to them than to the English. Accordingly, an ancient historian relates, that, when the bishops and barons swore fealty to Stephen, they declared it as the cause of their taking that engagement in direct violation of former oaths, *that it would be too shameful a thing if so many noblemen should submit to a woman.* It must, however, be observed, that,

See Mat. Par. p. 71.

that, some time before this, fiefs had begun to descend to females, in default of heirs male. The earldom of Boulogne was thus acquired by Stephen himself, in right of his wife ; and we find many other instances of it in France. On this foundation, doubtless, King Henry supposed, that, if he should die without a son, his daughter might be capable of succeeding to his duchy, and even to his crown. But, though the Normans had admitted a female succession in private estates, they had not yet applied that rule of law to their dukedom ; and it was more difficult still to extend it to the inheritance of the imperial crown of England. Ancient and rooted opinions, of the unsuitness of a female hand to wield a sceptre, would not easily yield to arguments of analogy drawn from a late practice in private successions, or even in principalities that were under a feudal subjection. The exclusion of women from reigning over the French is, by some of their best lawyers and historians, supposed to be rather founded upon an unwritten custom, derived from the temper and genius of the nation, than upon any written law : and the temper and genius of the Normans and English had certainly appeared, hitherto, no less repugnant than their's to the idea of being ruled by a disaff. Nor do we find that our ancestors made any distinction at this time, as the French afterwards did in the dispute that arose upon the death of Louis Hutin, between the succession to fiefs and the succession to the crown. They put England and Normandy upon the same foot : Matilda's right to both was acknowledged during the life of her father, and denied to both after his death. Probably, during his life, complaisance had a greater share in the part they took than conviction : But, whatever their opinions might have been at that time, as no force was used, their oaths were binding, and they could not recede from them

them after his decease without being perjured.

Indeed a contemporary historian relates, that he often had heard the bishop of Salisbury say, "The oath he had taken to the empress was void; be-
See Will. of Malmsh. hist. nov. l. i. f. 99.

cause he had sworn on condition, that the king should not marry her to any person out of the kingdom, without his advice and that of the other barons; whereas none were advisers of her match with the earl of Anjou, nor privy to it, except the earl of Gloucester, her brother, Brian Fitz-comte a natural son of the earl of Richmond, and the bishop of Lisieux." But the same author adds, that he distrusted the veracity of the bishop of Salisbury in what he said on this subject, thinking, that he accommodated his discourse to the times, and sought a pretence to vindicate his own conduct. Whether the first oath to Matilda was really taken upon the condition this prelate asserted, or not, the marrying her to a foreigner, without the consent or knowledge of parliament, was a matter at which the nation might justly be offended: and it is difficult to conceive why her father should desire to conclude such an affair in so secret a manner; unless he feared some obstruction on the part of the king of France, which made it necessary to avoid the public notoriety, that must have attended a parliamentary deliberation, or was conscious that his barons (whose opinions in those days generally guided the judgment of the whole parliament on affairs of this nature) were not very favourably disposed to the match. But yet this omission however exceptionable it might be in itself, could not be alledged at this time to invalidate Matilda's right of succession; because they had twice *since her marriage with Geoffry* bound themselves to maintain it by the most solemn oaths, the last of which they had taken both to her and her son. In order to get over this difficulty, Stephen prevailed on Hugh

Bigot
See Malmsh. hist. nov. l. i. f. 100. Dicet. Abbr. Chron. p. 505. Hoveden, p. 275. See Gervail. sub ann. 1135. p. 1340. Gest. Steph. Re. g. 4. p. 929.

Bigot earl of Norfolk, to swear before the archbishop of Canterbury, that Henry had, in his presence, released his subjects from those oaths. That king had, in reality, confirmed them by his last will, verbally declared, in the presence of all the lords who were with him in Normandy: but these not being yet returned into England, the falsehood remained uncontradicted till Stephen was fixed in his throne. The improbability of it was enough to discredit it among men of sense: but it answered the purpose of those who wanted a pretence for electing that prince; and there is nothing too gross for a party to believe. If there were any incredulous, they were silent through fear of the prevailing faction, or bought off with part of the treasure left by Henry in the castle of Winchester. It amounted in money to a hundred thousand pounds, equivalent to fifteen hundred thousand at present, besides a vast quantity of jewels and plate. The obtaining of this was decisive in favour of Stephen, and he owed it entirely to the intrigues of his brother, Henry de Blois, bishop of Winchester, who gained the bishop of Salisbury and William de Pont de l'Arche, to whose joint custody their late master had committed his treasure.

Malmsh.
f. 101.
hist. nov. l.
i. Thom.
Rudborn.
hist. Win-
ton. p. 284.

The bishop of Salisbury in thus deserting Matilda broke every bond of human society: for no man in the whole kingdom, not Stephen himself, had been so highly obliged to Henry, who took him into his service when he was only a curate in Normandy, during the reign of William Rufus, and finding him dextrous in business, especially in the management of money affairs, grew so fond of him, and put such an unlimited confidence in his fidelity, that when he came to the crown he first made him his chancellor, then bishop of Salisbury, and

Malmsh.
ibid. f. 104.

and at last grand justiciary, by which high dignity he was, on the demise of the crown, the constitutional guardian and regent of the kingdom. Thus it fell out, that, Henry dying abroad, and Matilda being absent, the whole strength of the government remained in his hands; and, had he kept his engagements, it would not have been in the power of any other to defeat her succession. What induced him to betray her, we are not told: but this we know, that he obtained of the king, immediately after his coronation, the town of Malmsh. burl. nov. l. i. f. 104. bury for himself, the office of chancellor for his natural son, and that of treasurer for one of his nephews, whom he had before made bishop of Ely. Probably these were the terms upon which he had treated with the bishop of Winchester to sell himself to Stephen, who was so sensible how necessary it was to buy him, that in a confidential discourse about him, with some of his own friends, he used this expression, "By the nativity of God, if he were to ask of me one half of my kingdom, I would grant it to him, *till this season be past.*" He shall himself be tired of asking sooner than I will of giving."

See Huntingd. l. vii. f. 219. c. 10. Liber Ramesensis, l. 279. Spelman's Glossary, sub JUSTICIAR. ANGLIA.

Malmsh. burl. nov. l. i. f. 104.

Idem. ibid.

These words are remarkable, and very expressive of the character of this king. In bargaining for the crown, he thought no price required of him too great; but, *when that season was past*, he meant to take other measures; and the bishop of Salisbury himself was one of the first who felt the effects of this intention. The bishop of Winchester, who had been the chief instrument in seducing that prelate from his loyalty to Matilda, was almost as powerful by the force of a bold and extraordinary genius, as the other was by his office. William archbishop of Canterbury, being a man of a feeble mind and mean parts, gave way to him in all things; and he acquired such an influence over the clergy, that he absolutely governed the English church,

church, though there never was a mind less suited than his to the duties of a churchman. But profuse liberality, princely magnificence, the courage of a soldier, the address of a courtier, and, the cunning of a statesman, with a peculiar dexterity in the management of a party, supplied the want of all Christian and episcopal virtues, which he hardly deigned even to counterfeit, except in pretending an ardent zeal for religion. By every art of cabal and of corruption, he sustained, he cemented, he animated, he directed the faction of his brother; and to his abilities, more than to his own, did Stephen owe the crown he gained. Yet that prince had himself some popular qualities, which might well recommend him to the favour of the nation. He was brave, affable, good-natured, and generous, in the highest degree. Having received his education in the English court, he had formed many connexions of acquaintance and friendship among the nobility, and had rendered himself agreeable to the people, not only from policy, but from the bent of his temper, which naturally inclined him to let down his dignity and conform his manners to theirs. The citizens of London were particularly affectionate to him, and saluted him as king, at his return from Boulogne, where he happened to be at the time when his uncle died, and from whence, upon an early intelligence sent him of that event, he passed over to England with all possible expedition. Another advantage to him was, that the Welsh having revolted before the death of Henry, and remaining unsubdued, the present circumstances of the state appeared to require a warlike prince on the throne. The sex of Matilda and the infancy of her son were deemed on this account to be weightier objections, than they might have been at the time of a settled tranquillity. Geoffry Plantagenet was at a distance, and not well beloved either by the Normans or English:

Malmsh.
f. 101. hist.
nov.

Gesta Regis
Stephani
inter script.
Norm. p. 1.
2, 3.

A. D. 1135.

English : Stephen was present, possessed of the general affections of both, and thought much more capable of governing a kingdom, than the only certain test of that kind of capacity, experience of him in government, afterwards shewed him to be. The precedence given to him above the earl of Gloucester by King Henry himself, when that earl had disputed it with him in the face of all England, appeared to mark him out as nearest to the crown of all the English peers, if the claim of Matilda was slighted. And the glory of the house into which he had married gave him an additional lustre. For Eustace earl of Boulogne, who served under William the Conqueror at the battle of Hastings, having married the sister of Godfrey duke of Brabant, had by that lady four sons, of whom the eldest, Godfrey of Bouillon, was esteemed the best soldier, and the most virtuous gentleman, of the age in which he lived. The conquest of the Holy Land being made under his conduct, he was chosen, in preference to all the other princes who engaged in that enterprize, to be the first Christian king of Jerusalem. But, though he accepted the office, he rejected the name, saying, " He thought it too much presumption for him to wear a crown of gold, " where his Redeemer had worn a crown of " thorns." Baldwin and Eustace, his brothers, partook with him the honour of the crusade ; at the conclusion of which Eustace returned to Boulogne, and wisely governed that earldom : but Baldwin staid in the East ; where he was first made earl of Edessa, and then, on the death of Godfrey, elected his successor in the kingdom of Jerusalem, which he ruled with vicissitudes of good and bad fortune, but with such a constant magnanimity, that his renown was almost equal to that of his brother. At the decease of this king it was proposed that the crown should be given to Eustace, and an embassy was immediately sent to invite him

Ord. Vit. l.
ix. p. 757.
Gul. Tyr.
de bello
sacro, l. ix.
c. 5.

to

Gal. Tyr.
l. xii. c. 3.

to come and receive it; upon which he went as far as Apulia on his journey to Palestine: but hearing there that his cousin Baldwin de Burg had been elected king of Jerusalem he renounced his own pretensions, rather than excite a civil war in that kingdom; an instance of moderation which did him more honour, than he could have gained by the acquisition of that or a much greater dominion. This prince leaving no son, his daughter Matilda, who was married to Stephen after the death of her father, brought to her husband, not only the earldom of Boulogne, and an alliance on the side of her mother with the English and Scotch royal blood, but the veneration that was paid to her father and uncles by the whole Christian world. All these advantages concurred to facilitate his way to the throne; but all these together would not have been sufficient to establish him in it with the consent of the nation, bound as they were by repeated oaths to another succession, if he had not allured them, and silenced all their scruples, by an engagement, in which the bishop of Winchester was his surety, to make some concessions desired by the barons and people of England, and grant to the clergy such favours and privileges, as they had wished in vain to extort from his predecessors. This he not only ratified by an extraordinary oath, which he took at his coronation, and by a general charter, confirming that of King Henry the First and the laws of Edward the Confessor; but, some time afterwards, by another given at Oxford, in which all the particulars of his oath were set down. By one clause of it he settled the bounds of his forests, and gave up all the additions that had been made to them in the reign of his predecessor: in others he promised to redress all the abuses, unlawful exactions, or any other wrongs that the people had suffered from the officers of the crown; to maintain peace and justice; and to confirm *the good laws* and

Malmsh. hist.
nov. f. 101.
sub ann.

1135.
Huntingd.
sub eodem.
See also Stephen's
characters in the
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and *ancient and equitable customs of the realm in judicial proceedings*. The laws of King Edward the Confessor are not expressly named in this charter, as they had been in the former given at London; but they were undoubtedly understood to be described by these words. All the other articles regarded the clergy, to whom the king very amply confirmed all the liberties, privileges, and dignities of the church, with all the lands and possessions, which, either by grants, or in any other manner, had been acquired by it after the death of King William his grandfather, or had belonged to it on the day when that monarch died; only reserving to himself the decision of any claims, antecedent to the term above-mentioned, of which the church was not actually in possession. He also assured them, that he neither would do, nor suffer any thing to be done, simoniacally; permitted bishops, abbots, and all other clergymen, to dispose of their goods by will; and if any should die intestate, he allowed that all they left should be distributed as the church should advise and direct, for the benefit of their souls. The lands and revenues of all vacant sees he promised to put into the custody of the clergy, or ecclesiastical officers belonging to the diocese where the vacancy happened, till it should be supplied according to the canons. These were great favours: but he went further still, and bound himself to commit all power and jurisdiction over the persons and property of ecclesiastics to the bishops themselves: a concession destructive to the civil authority and the most inalienable rights of the crown. It is, however, observable, that in the conclusion he declares, that he grants the whole *with a saving of his just and royal dignity*; a clause not inserted in any other charter, either before, or after, this; and which might be so construed, as to invalidate all the liberties he had granted. Probably, the clergy saw this, and therefore declared,

in the oath they took to him, *that they would only obey him while he preserved the liberties of the church and the vigour of discipline*. It is surprising that he should allow them to clog their allegiance with such a reserve : as he could not but discern that the tendency of it was to make him their slave, not their king : for *the vigour of discipline*, in their sense of those words, signified very little less than an absolute power, to be exercised by themselves, over all persons and affairs. But he was solicitous to gain them on any terms, knowing what an influence they had on the people, and how much he wanted their friendship. To get his election confirmed by Rome was likewise a matter he had greatly at heart ; and, some time before he held the assembly at Oxford, he obtained from Pope Innocent the Second a bull to that effect. We find, from the words of it, that it was procured for him by the joint intercessions of the archbishops and bishops of England and Normandy, of his brother the earl of Blois, and of the king of France. There is also an anecdote in some manuscript letters of Gilbert Foliot bishop of London, that discovers the pretence upon which it was granted. Matilda princess of Scotland, King Henry's first wife and mother of the empress, had been bred in the nunneries of Wilton and Rumsey, of which Christiana her aunt, was abbess, and had appeared there, at certain times, in the habit of a nun. This, when her marriage with the king was in treaty, occasioned some difficulty ; upon which she declared to Anselm, that she had taken no vows, nor ever had an intention of engaging herself in a monastick life ; but had worn the veil in mere complaisance to the will of her aunt, and only in her presence. The reason she gave, why that princess had desired her to wear it, was, that she supposed it would protect her against the seductions of the Norman nobility, very dangerous at that time to the honour and

See it in the
Appendix
from Ric.
Hagustald.
p. 313, 314.
V. Append.
from the
Cave Ma-
nuscript.
Epist. Gilb.
Foliot episc.
Lond. in
Bibliotheca
Bodleiana
V. Eadm.
hist. nov.
L. iii. p. 56,
57, 58.

and chastity of all English ladies. She further assured the archbishop, that her father, King Malcolm, seeing it once on her head, was so much offended, that he pulled it off, and tore it to pieces. Anselm would not determine the point himself, but called a council at Lambeth, and submitted it to their judgment. Proof being made before them, that all which Matilda affirmed was true, they unanimously declared, she was at liberty to dispose of herself as she pleased; and, to support their opinion, alledged the authority of archbishop Lanfranc in a similar case. For, during the first impressions of consternation and terror, that followed the victory of William the Conqueror at the battle of Hastings, several English virgins had gone into nunneries and put on the veil, as a guard to their chastity against the lust of the Normans; but afterwards, when peace was more quietly settled, Lanfranc, being asked, whether they ought to be kept to a monastick life, answered in the negative, unless they desired it, from their own choice, at that time. And this determination the council applied to the case of Matilda, only observing, that her plea was certainly better than that of those virgins; because they of their own accord had taken the veil, but she by constraint. The archbishop thereupon declared himself satisfied; and all the nobility and people of England being assembled soon afterwards on account of the marriage, he very fully informed them of the grounds of the sentence, which the clergy had given, and adjured them to declare, if they saw any reason to dissent from that judgment: but all having approved it, the ceremony was performed by Anselm himself. Yet notwithstanding this decision of the whole church of England, confirmed by the unanimous sense of the nobles and people; and the entire acquiescence of several popes, through the whole reign of King Henry, in the legality of the marriage; it now was deemed unlawful by the see of

Rome; and Matilda's right to her father's crown was supposed to be void on that account; though she also had submitted the merits of her cause to the judgment of the pope, and sent the bishop of Angers to plead it before him, against the ambassadors commissioned by Stephen. Gilbert Foliot, who then was abbot of Gloucester, and happened to be present himself in a council which Innocent held on this business, tells us, that, after her advocate had done all the justice he could to her title, which he rested on two points, her right of inheritance, and the oaths taken to her, it was urged on the contrary, that her right of inheritance being the principal strength of her cause, and the other only secondary, if the first was removed, the other would necessarily fail; that the oath taken to her had been taken as to the lawful inheritrix of the crown; but that she could not be such, because she was not born in lawful wedlock; her father having married onewhom it was unlawful for him to marry; and therefore she ought not to succeed to his kingdom. Foliot adds, what is surprising, that to this argument no answer was made by the bishop of Angers. Probably, he did not expect the objection, and so had not prepared a proper reply to it, being, perhaps, not sufficiently apprized of the fact. Yet he could not but know, that Henry, and Matilda, the mother of the empress, were married by Anselm; and might therefore have observed, as Foliot does in his letter on this subject, that a prelate, who was then in the odour of sanctity, would not have married them, if there had been any religious objection against it. The pope took advantage of his silence to decide in favour of Stephen: but it is very remarkable, that by none of our writers, not even by the author of the Acts of King Stephen, who is the most partial to that prince, is any notice taken of this plea having been brought in defence of his claim. Nor did Innocent mention it himself in his bull. From whence, I think, we may

may infer, that, whatever weight Stephen's friends might give to it at Rome, they were convinced it could be of no use to him in England, where all the circumstances of the case were well known. And, certainly, if the princess had taken any vows, Henry would not have married her without having obtained a dispensation from Rome, which, on account of the great benefit attending a match so necessary to unite the Normans and English, could not have been refused by any pope; especially as the request would have been supported by the prevailing intercession of Anselm. We may therefore conclude that there was really no valid objection against the legitimacy of Matilda's birth. Nevertheless, the bull which Innocent had granted to Stephen, how groundless soever it might be, was very pernicious to the interest of that princess, whose strongest support, either with the English or Normans, was the reverence due to the solemn oaths they had taken, from which the guide of their faith and director of their consciences now set them free. Indeed such a sanction given to perjury is hardly to be found in all the history of mankind! What aggravated still more the indecency of it was the great obligation that Innocent personally had to King Henry, whose protection and friendship had procured him the advantage of being favourably received in France, when the antipope Anaclet had driven him from Rome. It is really wonderful, that, so soon after the death of his royal benefactor, he should do all in his power to defeat the succession which that prince had established, and to deprive his posterity of his kingdom, without regard to repeated oaths, the most sacred and most awful ties of religion. Stephen indeed had done much more than his uncle, or any other king would ever do, to court the Roman see. For besides the many concessions he made to his clergy, in which the interests of that see were concerned, Innocent himself declares in the bull, *that*

Annales
Waverl. sub
ann. 1130.

it was granted to him in consideration of his having promised obedience and reverence to St. Peter on the day he was consecrated; words of a dangerous import, and which too easily might be construed to imply something more than a mere spiritual submission to Rome.

Gest. Steph.
Regis, p.
932, 933.

Thus did this prince acquire, or rather purchase, the crown, by such condescensions, both to the papacy, and to his own subjects, as much impaired the dignity of it, and made it sit very uneasily and loosely on his head. The bishops, who saw that he was in servitude to them, pursued their advantage, and in the first parliament held by him at London, after he had received the homage of the barons, made many strong and vehement speeches, setting forth, that under the reign of his predecessor, king Henry, the church had been grievously enslaved and oppressed, and earnestly exhorting him to restore her to liberty, *give her a complete, uncontrouled jurisdiction over all her own members, allow her institutions to be preferred to all laws of secular powers, and her decrees to prevail against all opposition or contradiction.* This was going even beyond the terms of his charter, or at least it explained what was there more ambiguously worded. Nor had such a language been ever held to an English monarch in parliament. Nevertheless, he heard it with patience, and gave his assent to it, in the presence of the whole nation, as far as he could by general words, without passing an act in the form of a law. The wisdom of the legislature was not so corrupted, nor so entirely over-powered by the madness of the times, as to give a legal authority to such propositions: but the clergy made use of the king's unwise complaisance, and proceeded upon it, to arrogate to themselves a total independence on the civil authority, which they had long desired, but had not dared so openly to assert, till they brought in this prince, not to govern,



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vern, but to subject the kingdom of England to them and to Rome. Yet, notwithstanding the boundless facility which appeared in his conduct, he really designed to shake off, not only the fetters which they had imposed upon him, but all other restraints: for he was no sooner in the throne than he had recourse to a method of government, which evidently tended to set him above the controul of the laws, and absolutely subvert the liberty of the realm.

Malmsh.
hist. nov. f.
101. l. i.
Gerv. Chron.
p. 1340.
R. Hagust.
de gest. R.
Steph. p.
312.

Germany, France, and the Low Countries, were at that time infested with bands of soldiers, drawn out of several nations, but chiefly from Brabant, Flanders, and Bretagne, who professed themselves independent of any particular country or government, and served for hire and plunder, wherever they believed that there was most to be gained. They were under the command of some able officers, and constant employment had rendered them expert in their business, and intrepid in danger; but they were as licentious as brave. A great army of these, in the first year of his reign, did Stephen bring into England, by means of the treasures his predecessor had left, without any apparent necessity, or any warrant for it in the advice of his parliament; and joined to them some English, who disliked the settled peace of a legal and limited monarchy, wished for publick confusion, and hoped to rise on the ruins of their country. This force, the most odious that can possibly be conceived, he made the chief support of his government; which was such an affront to the honour, and such a violation of the rights of his people, as might alone have been thought sufficient to dissolve their allegiance. It had been one of the greatest complaints against William the Conqueror, that, whereas, at certain times, upon the alarm of invasions, he brought into England more troops than he feudal tenures there could regularly maintain,

Malmfb. f.
69. & 17.

he kept them up unconnected with the body of the nation, quartering them upon convents or the lands of his tenants, and illegally raising immense sums for their pay. William Rufus also hired many mercenary soldiers, without the same excuse of necessity, merely to support a despotick authority in times of peace; and the expence he was loaded with, in maintaining these forces, was the principal cause of his extortions, as William of Malmfbury has observed. But at the restoration of liberty, under the government of Henry the First, this grievance ceased. He hired no foreigners to serve him in England, but settled the whole military force of his realm on the plan of the feudal constitution. When Stephen thought proper to depart from that plan, and govern by foreign mercenaries, he acted rather like an enemy who came to subdue, than a prince who had been chosen to guard and preserve, a well-established kingdom. Yet so unaccountable was his conduct, that, after taking this measure, he permitted all his barons (including even the bishops) to build castles on their lands, under a notion of better defending the country against any attempts of his enemies. But, when he put such a trust in their affection and fidelity, why did he think that his government could not be safe without the support of a foreign standing army? Or, if he could not confide in the loyalty of his subjects, why did he strengthen their hands against himself? His policy was wrong in every light, and he understood not how to govern either as a good prince, or as a tyrant.

The spirit of the nation would not so patiently have endured his foreign army, if his profuse liberalities had not bought the acquiescence of the principal nobles, and corrupted those whom his soldiers could not fright. But the means of that corruption soon failing by the indigence he was reduced

duced to, the peace of his realm was destroyed by the very methods he took to secure it, and his whole life was rendered one dismal scene of affliction and dishonour, to him and his people.

Gerv.
Chron. sub
ann. 1136.

The first commotions indeed, which were only excited by particular men, who had set up little tyrannies in their own districts, and rebelled rather against the law than the king, without any general concert or publick cause, were soon overcome. Such was Robert de Batthenton, who, immediately after the decease of king Henry, had made his castle a den of thieves; and such the earl of Devonshire, Baldwin de Redvers, whom Stephen drove out of England, after having taken from him the city of Exeter and the isle of Wight. Against a revolt of this kind the natural power of the crown and the valour of the king were more than sufficient: but these light disturbances were soon followed by others more alarming, and which arose from a more extensive and dangerous root. It was the characteristick of Stephen *to promise largely and perform nothing*. He paid no regard to either of his charters. The foreign army was a great and perpetual object of national jealousy and dissatisfaction. The offence this gave was still aggravated by the excessive favour shewn to William of Ipres, the general of these troops; who, being a grandson of Robert le Frison earl of Flanders, but illegitimate, had abetted the murder of Charles the Good, his cousin-german, in hopes of succeeding to the earldom after the death of that prince; but was driven from thence by William Clito and Louis le Gros, who also deprived him of his town and castle of Ipres. To restore his broken fortune, he put himself at the head of these mercenary bands, among whom his treason was no discredit to him; and brought them to Stephen;

Gest. Steph.
Regis, p.
933, et seq.
R. Hagust.

Malmsh.
hist. nov. l.
i. f. 101.
Huntingd.
l. viii. f.
221.
Gerv.
Chron. p.
1346.

Vid. Suger
Abb. lib. de
vit. Lud.
Grossi Reg.
P. 316.

who

who overlooked his moral character, or did not believe he was guilty of the crime that was laid to his charge. By flattering counsels and bold execution he so effectually recommended himself to his master, that he soon obtained his chief confidence, to the great mortification of the English nobility, who found themselves almost excluded, by the influence of this stranger, both from the civil and military government. Such provocations would have raised the resentments of a nation much more passive than this, against a prince with a better title than that of Stephen. The claim of Matilda and of Henry her son was now remembered again by many of the barons. The earl of Gloucester discerned these dispositions, and worked upon them in secret; patiently waiting for the season to act with advantage, and preparing the minds and affections of men to a revolution in favour of his sister and nephew, before he openly declared for their cause. The sudden change which had happened in England after the death of his father, and while he was busied in the affairs of Normandy, had so confounded and stunned him, that for some time he did not know what measures to take; all the engagements and oaths to his family having been at once disregarded, and all the friends of King Henry, to whose hands he had entrusted the greatest power in his realm, having no longer deliberated whether they should desert his daughter and his grandson, than till they had made their own terms with the earl of Boulogne. To have gone over to England as head of a party in opposition to Stephen, when no such party existed, would have been rashness and folly, which might have ruined the earl of Gloucester, but could have done no service to his sister.

That

That princess indeed might reasonably have expected a strong assistance from Scotland: but though David, her uncle, as soon as he had intelligence of Stephen's election, had declared for her title, which he had sworn to support, and by a sudden attack had made himself master of all Cumberland and Northumberland, except the town and castle of Bamburg, obliging the gentry there to take oaths of allegiance to her as their sovereign; yet those fair beginnings had not a happy conclusion. For Stephen, having assembled a very great army with the utmost expedition, marched at the head of it to Durham, and prevented the siege, which the Scotch were then preparing to lay to that town. David intimidated at the sight of a force much superior to his, and finding that none of the English declared for Matilda, as he had hoped they would do, retired to New-castle, and made there a treaty with Stephen, by which he agreed to restore to him all that he had taken, except Carlisle: but as Henry prince of Scotland pretended a right to inherit Northumberland from his grandfather, Earl Waltheoff, Stephen promised that he would not dispose of that earldom to any other lord, without having judicially determined his claim. He also gave him the earldom of Huntingdon, notwithstanding the pretensions of Simon de St. Liz earl of Northampton. That nobleman was eldest son to the mother of the prince of Scotland by her first husband, to whom she had brought the two counties: but after his death, upon her marrying David, King Henry, out of regard and affection to him, divided her inheritance, and granted the earldom of Huntingdon to him and her issue by this second marriage; which grant Stephen now confirmed and added to it Carlisle; the king of Scotland desiring that his son should possess them, rather than he himself, because he was unwilling to do homage to Stephen,

Ric. Ha- 1
gustald. de
gestis Steph.
Reg. sub
ann. 1136.
Joh. Hagust,
sub eod.
ann.,

v. Ingulph.
f. 513. n.
30.

phen, on account of the former oath by which he had bound his fealty to Matilda.

This accommodation was not very honourable to the character of David, who, in agreeing to it, sacrificed the cause of his niece, which he had engaged to maintain, and vainly tried to clear himself of a breach of his faith, by refusing to accept in his own person the advantages, which he gained at her expence, and making them over to his son. Stephen was happy in thus recovering all that the Scotch had surprized, except Carlisle, of which he had still the feudal sovereignty; and (what was yet more important at this juncture of time) obtaining a peace on that side from which he had most to fear, with relation to his security on the throne he had gained. The earl of Gloucester considering it as the entire defeat of all his sister's hopes in England, at least for the present, determined to go thither, and submit to the king: but he made that submission under such a reserve, as seemed evidently to provide and lay in a claim for a future revolt, paying his homage with this condition expressed in the oath of fealty, *that he should be no longer bound by it than Stephen kept his engagements with him, and preserved to him his dignity unhurt and entire.* It was an act of great weakness and folly in the king to admit of his homage with so dangerous a change of the usual form: but it has before been observed, that he had committed the same fault with regard to his bishops: for he looked no further than to the case of the present hour, and desired, at any rate, to compound with or buy off opposition. We find the name of the earl of Gloucester among the subscribers to the charter at Oxford; and he continued a year in England, artfully founding the dispositions of those who were best inclined to his sister, and secretly forming the plan, upon which he might act, if the conduct of Stephen and future accidents should give

Malmsh.
hist. nov. l.
i. f. 101.

give him any means of doing her service. In the spring of the year eleven hundred and thirty seven both he and the king went over to Normandy.

That dutchy had followed the example of Eng-
land in submitting to Stephen ; but the empress
had friends there, with whom her brother was sus-
pected of caballing in private against the govern-
ment of that prince. In consequence of this sus-
picion, though the fact was not proved, William
of Ipres was secretly ordered to arrest him, and
had suggested a method how to do it securely :
but Stephen perceiving, by the earl's not coming
to court, that his design was discovered, confessed
it to that lord, and swore to him in words which
were dictated by him, that he would never again
entertain such a purpose. The archbishop of Rouen
was moreover made a surety for the good faith of
the king in his future proceedings towards the
earl : but no security could remove the suspicions
that each of them had conceived of the other, or
give any sincerity to a reconciliation disquieted by
incessant doubt and distrust.

About the end of the year Stephen was obliged
by new troubles to return into England. The
king of Scotland, notwithstanding the peace he
had concluded not long before, had raised an army
with intention to fall on Northumberland, which
he claimed in behalf of his son : but most of the
barons of England having marched to Newcastle,
in order to oppose his invasion, and negotiations
ensuing through the mediation of Thurstin, arch-
bishop of York, he consented to suspend any fur-
ther hostilities till Stephen should return. This
alarm of a storm gathering against him in Scot-
land brought back that prince, with no small anx-
iety and disturbance of mind : for he was not in-
sensible that many of the English were disposed to
revolt ; and therefore he prudently dreaded a war
on his borders. Yet he would not buy a peace by
any

A. D. 1137.

See J. and
R. Hagu-
stald. sub
ann. 1137.

any greater concessions than he had made in his last treaty. Soon after his landing, ambassadors came to him from David, with orders to demand the earldom of Northumberland for Henry, prince of Scotland ; which he peremptorily refused. Indeed the claim was ill founded : for, though the mother of Henry was heiress to Waltheoff earl of Northumberland, yet, as that nobleman had suffered for high treason, his earldom was forfeited, and could not legally descend from him to his daughter. Stephen had hoped, and surely not without reason, that by the addition of Carlisle to the earldom of Huntingdon, which he had confirmed to Prince Henry, he should, for some time at least, have continued unmolested with further demands from that court : but it was the expectation of a great insurrection in England, and an intelligence there with the friends of Matilda, that made David desirous to take up any pretence for commencing hostilities. As soon therefore as Stephen had rejected his suit, he declared war against him ; and laid siege to Weark castle : but, after some time had been lost in fruitless assaults of that fort, he abandoned the enterprise, and ravaged all the open country as far as the Tyne, in a most inhuman manner ; his army committing there such barbarous outrages, as are not to be paralleled by any we read of, even in the irruptions of the Cossacks or the Tartars. The farms and villages they first plundered, and afterwards set on fire ; nor did the churches themselves escape their rage. They murdered the sick and aged in their beds, infants on the breast, and priests at the altar. Women in childbed or pregnant they also killed, with circumstances of cruelty too shocking to be mentioned, and carried into captivity the widows and virgins, whom they drove before them in crowds, bound together with cords, and stripped naked. When any of these were fainting with anguish and

Vid. Johan.
et Ric. Ha-
gustald. sub.
ann. 1138.
See also Ail-
red. de bello
standardi, p.
318, et
Huntingdon,
et Ord. Vit.
sub ann.
1138.

and fatigue, the soldiers goaded them on with the points of their lances.

It seems strange that the humanity, for which David was famous, did not resist such horrid acts : but he found it useless to forbid what he could not prevent ; the greater part of his army being impatient of discipline, and having been drawn to his standard by the mere desire of plunder ; particularly those who came out of Galloway, which then contained all the country situated to the south or south-west of the Clyde, from Glasgow as far as to the borders of England. The inhabitants of this region, being either a remainder of the Cumbrian Britons (as some authors affirm), or (as others say) of the Irish, planted there in ancient times, had been but lately subjected to the dominion of Scotland, and paid that crown a very imperfect obedience, living under their own chiefs, and retaining still their own manners, which were savage and ferocious. Hence it was, that a province, which David claimed the possession of in right of his son, and should therefore have spared for his sake, was almost destroyed by an army which he himself commanded. Indeed these outrages hurt the whole party of Matilda, by the general hatred they excited in the English against her confederates.

While Northumberland was thus wasted, King Stephen was detained in the siege of Bedford castle, which the sons of Robert de Beauchamp held valiantly against him above five weeks ; but, through the mediation of his brother, the bishop of Winchester, it was at last given up, and he marched from thence to the north. On his approach, at the head of a great and regular army, David hastily retired within his own borders. The English pursued him ; and, when he found they had advanced almost as far as to Roxborough, he suddenly quitted that town, and took post not far off,

Ord. Vit.
sub ann.
1138.
Johan. et
Ric. Hag-
stald. ibidem.
Ailredi hist.
de bell. Stan-
dardi, ibid.

off, in the midst of a morass very difficult of access, where he hoped to lie undiscovered. But he left behind him some troops, which he contrived to conceal in vaults or other secret places; and commanded the citizens to open their gates to the English, intending, about midnight, to bring up his whole army, and surprize his enemies in their sleep, by the help of the citizens, and of the soldiers who remained within the walls.

It is said, that many of the nobles, who served under Stephen, were accomplices in this plot. The danger from it to that prince was therefore very great. But, instead of going to Roxborough, he passed the Tweed, above that town, and wasted a good part of the lowlands of Scotland with fire and sword, in revenge for the depredations of the Scotch in Northumberland; till finding that David would not, by any provocations, be brought to a battle, and beginning to want provisions for the subsistence of his army, he returned into England, with the glory of having driven the Scotch from thence, and braved them in their own country.

R. Hagustald. sub an.
1138. p. 317.

One of the contemporary authors assigns another reason for this retreat, namely, that many of the English soldiers, out of a scruple of conscience, refused to bear arms during lent: a circumstance which denotes the genius of the times, wherein, though religion had but a very small influence, superstition had a great one, over the minds of the people.

Whether any information had been given to Stephen, before he passed the Tweed, of the conspiracy formed in his own army against him, or of David's intention to surprize him in Roxborough, is uncertain: but there is reason to suppose, that his retreat was accelerated by some suspicion of this kind, and that he intended to renew the war after Easter, unaccompanied by those barons, whom,
he



He thought, he could not prudently venture to trust : but he found England in a state which prevented his purpose. That kingdom now laboured under all the evils, that an administration both infirm and tyrannical could bring upon it ; and those malignant symptoms, which are the certain prognosticks of the most dangerous and fatal convulsions, began to appear in all its members. Stephen was soon taught by grievous experience, how unsafe it is for a king to depend upon a loyalty which he has *bought*. The begging of new grants, and with an insolence that would brook no denial, became the sole business of most of the nobility who attended his court. The more he lavished upon them, the higher and more importunate were their demands : they despised him for what he had given, and were ready to make war upon him for what he refused. Matilda's friends worked underhand upon the avarice and pride of these men ; while those who had any sentiments of affection for their country were most justly offended at the enormous profuseness, which thus exhausted all the wealth of the crown, for the support of an illegal and arbitrary power. They saw their liberty, upon the basis of which their sovereign had seemed to erect his throne, violated by him, and oppressed by foreign arms, brought over, in order to serve, not the crown, but the king ; not against foreign enemies, but against his own people. Matilda appeared to them the only deliverer that could be able to break their chains ; and they looked back to her, with a return of affection and tenderness, which sprung from a remembrance of the good government they had enjoyed under the reign of her father, and a comparison of it with that of his successor.

The earl of Gloucester, who had long waited till these inclinations should be ripened, thought it now

time to draw the sword. But, before he would proceed to any hostilities, he sent the king a message from Normandy, by which he notified to him, that he renounced all fidelity and friendship towards him, and held himself free from the homage he had done him, both as he (Stephen) had unjustly usurped the crown, and as he had violated his faith to him. What was the breach of faith thus complained of in general words, we are not informed; but it is probable the earl had some act to alledge, upon which he might plausibly ground this charge. He also pleaded his former oath to Matilda, and the nullity of that he had taken to Stephen against the sacred obligation of a prior engagement. To give more weight to this plea, he produced a decree he had obtained from the pope, which enjoined him *to observe the oath he had taken in the presence of his father*. The authority of this *apostolical sentence* (as it was then called) most effectually assisted the cause of Matilda, and virtually absolved all the barons of England and Normandy from their oaths to King Stephen.

That the same pope, who had confirmed the election of that prince, should have been so soon afterwards persuaded to annul it, is very surprising! I cannot discover, by any other proof, that the friendship between them had been ever interrupted, from that time to this. On the contrary, Stephen had lately received from this pontiff a very particular favour; his brother, the bishop of Winchester, upon the death of William Corboil, archbishop of Canterbury, having obtained the commission of legate in ordinary for the kingdom of England, which had never before been granted to any English bishop, but the above-mentioned primate. Nor did Innocent by his subsequent conduct denote any change in his sentiments: for this very year he sent over into England the bishop of Ostia, as his legate *a latere* to that king; which was own-
ing

ing his title. I am therefore greatly at a loss to know how to account for the above-mentioned decree, unless we suppose it inadvertently given, upon a case of conscience so stated as not to discover to his Holiness the intended application. By whatever means the earl of Glocester procured it from the pope, he very wisely and successfully availed himself of it, both to justify his own conduct, and to bring others back to the allegiance they also had sworn to his sister. His defiance of Stephen was immediately followed by the revolt of Bristol, Dover, and Leeds, which he had received from the king, his father, and of some other towns which were in the custody of his kindred and friends, particularly Shrewsbury, Ludlow, and Hereford. The king of Scotland likewise, in concert with whom he now acted, as soon as he had celebrated the festival of Easter, made another incursion into Northumberland; and his barbarous army ravaged the maritime parts of that earldom as they had done the western side in their former invasion. From thence they marched along the coast almost as far as Durham, destroying the whole country and its defenceless inhabitants with the same inhumanity, from which it was not in the power of their sovereign to withhold them. So little respect did the licentious Galwegians pay to his orders, that a dispute and a tumult having arisen among them about a woman, who, probably, was one of their captives, they openly threatened to turn their arms against him; but while he was in great fear on account of this mutiny, an alarm was spread in his camp, perhaps by himself, that a very formidable English army was coming against them, upon which they retired towards Scotland in the utmost confusion. When the report was discovered to be groundless, he laid siege to Norham with the more orderly part of his forces, and sent these barbarians, with some other irregulars, under the conduct

H. of Han-
tingdon.
Ord. Vit.
sub ann.
1138.

Joh. et Ric.
Hagustald.
sub ann.
1138.

Ric. Hagust.
P. 318.

of William, a son of his nephew Duncan, to penetrate into Yorkshire. They laid all the western part of that country waste, advancing as far as Clithero, where they were opposed by a body of English, whom they entirely defeated and cut to pieces. The garrison of Norham, intimidated by the defeat of their countrymen, and despairing of relief, surrendered to David, who offered to restore the town and castle to the bishop of Durham, under whom they were held, if he would take part with Matilda; which that prelate refusing, the king demolished the place, and sat down before Weark, the garrison of which had cut off his convoys while he was employed in other operations: but, as he found there a much more obstinate defence than at Norham, after some loss of men he raised the siege, leaving two of his barons, with their vassals and followers, to hinder the garrison from infesting the country or receiving supplies. From thence he proceeded to the castle of Bamburg, which he found too strong for his forces to attempt at this time; but one of its outworks he took; and having destroyed all the corn about this and other forts, which he proposed to reduce, with less difficulty, by famine, about the end of July he passed the Tyne, and advancing to Durham rested his army in the lands of St. Cuthbert, till he was rejoined by the Galloway detachment, and till the arrival of other irregular forces, which he had collected, not only from Cumberland, and the regions near to that country, but also from the most distant parts of his kingdom. When these supplies were come up, he found himself at the head of above six and twenty thousand men, including some bands of English horse, which served him as confederate with the empress Matilda. Among these were noblemen of high distinction; particularly Eustace Fitz-John, who had been in great trust and favour with King Henry; but Stephen,

Alfred, de
bello stan-
dardi, p.
337.

R. Hagu-
itald. p. 319,
320.

phen, suspecting him of holding a treasonable correspondence with David, had, at his return out of Scotland, arrested him in his own court, and without any proof of his guilt, or form of a trial, compelled him to surrender his castle of Bamburg. Yet he did not go far enough, either to punish the treason he suspected, or secure himself from it. For, upon the delivery of the castle of Bamburg, he released Eustace, and suffered him to retain two other fortresses of no less importance, Alnewick in Northumberland, and Malton in Yorkshire. Whether that baron was really engaged in a correspondence with David before, as some authors affirm, or, as others say, was provoked to revolt against Stephen by this injury done him, he now joined the Scotch with no small number of his own vassals, as did likewise Alan de Percy, a natural son of the great baron who bore that name. David thus strengthened proposed either to subdue, or lay waste and depopulate, the whole north of England; while the friends of Matilda, being favoured by the diversion he made in those parts, might act with advantage in others, and, as he should advance nearer to them, unite their forces with his; which would enable them to overwhelm those of Stephen. Nor did it seem possible for that prince by any means to prevent this design. After a vain attempt upon Bristol he had taken Cary-castle, and soon afterwards Hereford, without any great difficulty; but was now employed where he met with a more valiant resistance, in besieging the town and castle of Shrewsbury, maintained by William Fitz-Alan, who had married a niece of the earl of Gloucester. If he marched from hence into Yorkshire, he feared that the counties bordering upon Wales, and indeed all the West of England, would revolt to that earl, who had powerful connections and interest there; nor did he dare to call away that part of his forces, which

Gest. Steph.
Regis, p.
941, 942.
Ord. Vital.
sub ann.
1134.

then was employed, under the orders of his queen, in defending the southern coasts of his kingdom. Yet the depredations and cruelties of the Scotch were so terrible, that to leave his subjects exposed to them, without any assistance, would, he thought, be an indelible stain on his honour, and force them to seek that protection, he could not, or would not afford them, in a submission to Matilda. He had also cause to suspect, that many of the nobility, in other parts of the realm, waited to declare for her, or for him, as they should see the king of Scotland succeed. In this dilemma, which indeed was very perplexing, he ventured to commit the defence of the north to the northern barons themselves, with the vassals they could raise, sending only a body of horse, under Bernard de Baliol, who was himself of that country, to their assistance. Before this succour arrived, they had assembled together at York, to advise and consult what to do, in this exigence, when the approach of so formidable and cruel an enemy seemed to threaten their whole country with utter destruction. Their forces apparently were not strong enough to fight with the Scotch; they had no probable hopes of any immediate aid from the king; and, what was still worse, they had hardly any confidence in one another, a general suspicion of treason prevailing among them. This state of things so discouraged and sunk their spirits, that they were almost ready to give up any hope or thought of defence, when the archbishop of York, both as lieutenant to the king in those parts, and as their spiritual guide, made them a noble and animating speech; in which he vehemently exhorted them to fight for their country, and for the church, which the sacrilegious Scotch had not spared in their depredations; giving them confident hopes of victory from the favour of Heaven, and assuring them, that to all who should die in this cause

Ric. Hagust. p. 320,
321. sub an.
1138.

Neubrigen-
sis, l. i. c. 5.
Ric. Hagust.
p. 320, 321.
sub ann.
1138.

cause death would be a happiness, not a misfortune. He concluded by telling them, that he would send all the parish priests of his diocese, with their crucifixes in their hands, and dressed in their holy vestments, to go with them into the field; and that he intended, God willing, to accompany them himself.

This oration, delivered with a force and authority that seemed to have in it something divine, had a wonderful effect on his audience; and Bernard de Baliol happening to come at that juncture of time with a reinforcement from the king, which, though not very considerable, was more than they expected, their spirits were raised, in the same degree as they had been dejected before; and they unanimously resolved to go back to their several manors, call out their vassals, and at the head of them return to York, as the most proper place for a general rendezvous. This being done with very great expedition, the archbishop, desirous to keep up and improve the religious impressions, by which he had chiefly revived their courage, appointed a fast of three days; at the end of which, having first heard their private confessions, he gave them a publick and general absolution, with his episcopal benediction. Then, notwithstanding his great age and infirmity, which obliged him, wherever he went, to be carried in a litter, he would have gone with them against the Scotch. But they, after much difficulty and many entreaties, compelled him to stay and put up his prayers for them at home. However, he sent all his vassals along with them, and likewise his crozier, and a banner consecrated to St. Peter. Nor did he forget the parish priests, whom, as he had promised, he ordered to attend them in all their formalities, together with his archdeacon, and one of his suffragans, Ralph bishop of the Orkneys, which islands then were not

subject to Scotland, but belonged to the crown of Norway.

There was indeed a necessity to employ all the aids that religion could give, and even to raise a degree of enthusiasm in the English troops, who, after the damp, which the late defeat of part of their forces at Clithero had left on their minds, were going to fight with a victorious army, that almost trebled their numbers, strengthened by a large body of their own countrymen, and led by a great king, who was assisted by officers formed under the discipline of Henry the First, and by a courageous young prince, whose valour his very enemies praised and admired. Nor could any thing less than the most solemn ties of religion remove the distrust that the barons had conceived of each other's fidelity. Accordingly we are told, they all

Ric. Hagust.
p. 321.

Idem, p. 320.
et Ailredus
de bell.
standardi.

thought it necessary to take an oath, that they would not forsake one another, but would either conquer or die together. The chief of these were William earl of Albemarle, Robert de Ferrers, Gilbert de Lacy, Walter de Gant, William de Percy, Geoffry Harcelin, William Peverel, William Fossard, Richard de Curcy, Robert de Stuteville, Bernard de Baliol, and Robert de Bruce, names that deserve to be recorded in history, for the honour they gained in this action. Robert de Bruce was an old man of very eminent dignity, valour, and prudence. He had lived from his youth in the Scotch court and been high in the favour of David, who, besides other presents, had given him a barony in the province of Galloway; but, upon this occasion, preferring the duty he owed to his country before all other ties, he joined the English, with a strong body of excellent soldiers. Roger de Moubray, a young boy, was also, the better to encourage his vassals, brought along with them. He was the son of Nigel de Albiney, who, at the battle of Tinchebraye, killed Duke

Robert's

Robert's horse and took him prisoner, for which and other great services he received from King Henry the forfeited lands of Robert de Moubray earl of Northumberland, who had been condemned for high treason against William Rufus. Together with the estate this infant baron inherited the title of Moubray, and was at this time the king's ward. But the man to whose counsels they all deferred was Walter Espec, a gallant old officer, of a very extraordinary strength and stature, who, from his long experience in the art of war, joined to a most amiable and venerable character, was revered as a father and obeyed as a general by the whole army, the chief direction and conduct of which is by some of the best contemporary writers ascribed to him; though the earl of Albemarle, from his rank and high birth, must, I suppose, have had the command of it. As they marched on towards the enemy, they sent Bernard de Baliol and Robert de Bruce to the king of Scotland, who had not yet left the bishoprick of Durham, to persuade him to desist from his ravages, upon an assurance, that they would obtain from their sovereign the county of Northumberland for Prince Henry his son. In all probability, Bernard de Baliol had brought instructions and powers from Stephen to make such an offer, but so as to have it appear, that it arose from his barons, rather than from himself. David, who had more considerable objects in view, received the proposal with scorn. Robert de Bruce hereupon renounced the homage he had done him for the fief he held of his crown, and Bernard de Baliol the fealty which he also had sworn to him on a former occasion; after which they both returned to the English camp. David then passed the Tees, and began to ravage Yorkshire, not supposing that the English would dare to oppose him, as his forces were so superior in

vol. i. 128.
B. Gemiti-
cen. 296. B.
et Dug-
dale's Ba-
ronage.

V. Auth. ci-
tat. ut supr.

Ric. et Jo-
han. Hagust.
sub ann.
1138.

A. D. 1138.

Ailredus de
bello stand.
Ric et Joh.
Hagust.

Ailredus, et
R. Hagust.

Ailredus de
bello stand.
p. 338 ad
342.

in number to theirs: but he soon found his error; for they boldly came on to meet him, as far as a plain called Cuton Moor, about two miles from North Allerton, resolving to wait for him there and give him battle. As soon as they arrived in this plain, which was about break of day, on the twenty-second of August, in the year eleven hundred and thirty eight, they erected a standard of a very peculiar contrivance. It was the mast of a ship, fixed upon a wheel carriage, at the top of which was placed a silver pix, containing a consecrated wafer; and under that were hung three banners, dedicated to St. Peter, St. John of Beverley, and St. Wilfred of Rippon. All these decorations were proper to strike the imagination, and probably were suggested by the archbishop of York, to keep up that spirit of religious enthusiasm he had wisely inspired. In fighting under this standard the soldiers believed themselves engaged in a holy war, the champions of Christ, and of those saints and martyrs, whose ensigns were thus waving over their heads. It became so famous, that some contemporary authors, in the title they prefixed to their histories of this war, called it *The war of the standard*. When it was raised and set out with all its appurtenances, Walter Espec, who joined to his other great qualities a flow of natural eloquence, mounted the carriage upon which the mast was sustained, and from thence harangued the army with a military oration, well adapted to his purpose. He observed to them, that numbers did not decide the event of a battle, put them in mind of the glory which the Normans had gained in many parts of the world, and how often a few of them had overcome great armies. He spoke with contempt of the Scotch, and particularly recalled to the memory of his countrymen, that one of the most warlike kings of that nation,



OF KING HENRY II.

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nation, Malcolm Canmore, had submitted to do homage to William the Conqueror, when that monarch had carried his arms into Scotland ; without so much as daring to hazard a battle. He shewed them the great advantage they had in their armour against enemies almost unarmed. He emphatically set before them the goodness of their cause ; that they were to fight for a king desired by the people, elected by the clergy, anointed by the archbishop, confirmed by the pope ; and not only for him, but likewise for their country, their wives, and their children, nay to defend even their altars from sacrilege, profanation, and flames. He painted to them in strong colours all the horrid barbarities, which the Scotch soldiers, especially the Galwegians, had committed ; their rapes, their murders, their tossing up little children into the air and receiving them again on the points of their lances, for sport and diversion, with other nefarious and execrable deeds. He told them, that they were to fight, not with men, but wild beasts, who had no sense of piety, none of humanity ; who were odious to man, abominable to God ; who would certainly have been destroyed by lightning from Heaven, or swallowed up by an earthquake, if they had not been reserved to fall that day by the swords of the English : that the archangel Michael, the saints, and martyrs, whose temples and altars those savages had polluted, would combat against them at the head of their enemies ; nay Christ himself, whose body in the sacrament some of the Galwegians had impiously trod under foot ; would, he said, rise up in vengeance against them, and aid the English arms. He exaggerated to them the thanks, the rewards, the honours, the power, which they might, if they were victorious, expect from the king, who would in effect receive his crown again from their hands ; and concluded by

Ric. Hagust.
p. 322.
Joh. Hagust.
p. 262.
Ailred.
p. 343.

by saying, they must conquer, or die; for who among them could endure to survive a defeat, that would give up his wife to be defiled by the lust of their enemies, and his children to be stuck upon the points of their lances? Then turning to the earl of Albemarle, and taking him by the hand, he said, "I pledge my faith to you, that I, this day, will either beat the Scotch, or be slain by the Scotch." Upon which all the nobles cried out with one voice, that they also bound themselves by the oath he had taken. They now drew up in order of battle, and with as much judgment as the military art of those times would permit. Being greatly outnumbered by the enemy, they formed themselves into one compact body, or phalanx, composed wholly of foot: for the generals had commanded all the cavalry to dismount, except a few, whom they posted in the rear, to guard the horses of the others, which were removed to some distance, behind the army, that they might not be affrighted with the shouts of the Scotch. Almost the same disposition had been made by Harold, at the battle of Hastings; except that here, intermingled with the heavy-armed soldiers, and under their protection, was placed a good number of archers and of pikemen. In the foremost ranks were all the bravest of the barons and knights; but the more aged nobles, with the infant earl of Northumberland Roger de Mowbray, stood in the midst of the phalanx, about the standard, and some of them were mounted upon the carriage it was fixed to; that from thence they might commodiously see the whole action, and be seen by their vassals. It may be presumed that the flanks of the English army were defended by morasses or entrenchments: for, as they had come into the field before the Scotch, they chose their ground, and had leisure enough to throw up works, if any were needful. Thus they expected the enemy, who

who did not arrive till they were completely formed. The king of Scotland, at sight of them, ordered his army to halt, and consulted with his officers, in what manner he should attack them. Most of them advised him to compose his vanguard of all the men at arms and all the archers in his army; being apprehensive, that, if the ill-armed and undisciplined multitude should begin the attack, they would not only be defeated, but would put all the other forces into confusion. This advice was good, and so the king thought it; but the Galwegians, claiming a right to be always placed in the van, which they esteemed the post of honour, would not give it up. They urged the late victory obtained by them at Clithero, against a body of English forces as well armed as these, and argued from thence, that to brave men heavy armour was rather an incumbrance than an advantage. But this seeming to make no impression upon David, the earl of Stratherne, who thought himself interested in the dispute, asked the king with much heat, why he preferred these foreign troops to his own, when the best armed man of them all should not go further in the battle, that day, than he would without armour. Which being heard by Alan de Percy, he replied, "Earl, you have spoken bold words, and such as you will not make good." David, afraid that they should quarrel, interposed his authority, and permitted the Galwegians to carry their point. His second line, commanded by the young prince of Scotland, was composed of the Cumbrian and Tweedale militia, strengthened by English archers and cavalry of the king's household, and by some under the conduct of the lord Eustace Fitz-John, who also joined this division. There was a third line, or rear-guard, consisting of Lothian and Highland foot; and a body of reserve, led by David himself, in which were the Lowland Scotch, with

V. Ailred.
P. 343.

V. Hunting.
f. 222. sect.
50. Ailred.
ut supra.

Ailred. de
bello stand.
p. 344, 345,
346.

with the chief nobility of that nation, and some English and Norman knights, whom the king kept about his person. But, while the two armies were still at some distance, though in sight of each other, Robert de Bruce, having obtained the consent of his friends, the confederate barons, went over to David, not, as before, to treat with him in their name, but as a private friend, attached to him by gratitude, and affection, who came only to advise him, out of concern for his safety and interest. He gently put him in mind of the many great services, which the English and Normans had done to his family, himself, and his crown : that no longer ago than the last year he had been under a necessity to call in their assistance against a rebel subject : that Walter Espec, and other barons of England, had, with the greatest alacrity, brought him men, arms, and ships, in that exigence, and by the terror, which they struck into the hearts of his enemies, subdued the rebellion, and delivered the leader of it into his hands. He told him, that they now were hated by the Scotch, for having subjected them too much to his power, and even taken from them all hopes of rebelling again : but it was surprising that so wise a monarch should render himself the tool of that hatred, and fight against those who were the principal support of his throne. That by acting thus he endangered, not only himself, but his son, who might live to want the aid of those faithful friends, whom he, that day, was making his enemies. That he ought to consider very seriously, how far he might, before God, be involved in the guilt of so much innocent blood as was shed by his troops, and of the other enormities they committed, though, indeed, against his own inclinations and orders. That the grief and abhorrence, expressed by him at the sight of those abominable crimes, would not be thought sincere, if he suffered them to go on unrestrained, and nei-
ther

er punished the past, nor prevented the future ; ut, on the contrary, rather authorised them by is presence. That these reasons alone ought to nduce him to end this barbarous war, though there ad been none to resist him in his attempts, or ough he could be absolutely sure of success : but at no contemptible army was now brought to ppose him, not more inferior to his in numbers, an superior in arms and real strength : that they ere resolved either to conquer, or die in the field, hich alone would be sufficient to give them the ictory : nor did they make any doubt of obtain- g it : and, therefore, he was grieved to the eart at the thought, that he should be forced to ehold his good master and friend, who had been lways so gracious and liberal to him, with whom e had been bred, even from his earliest youth, nd in whose service he had grown old, either dis- racefully flying, or unhappily slain. At these vords, a burst of tears broke off his discourse ; hich so affected the king, that he himself also ept ; and knowing the worth of the man, his wisdom, and his courage, he was perfectly con- vined, that what he had said to him could pro- eed from no motive but honest affection, and be- gan to incline to a treaty. But his nephew's son, a young man of an impetuous temper, whom his ate victory over the English at Clithero had ren- dered more confident, vehemently opposed it, ac- using Bruce of high treason against David, his ord. And, as he had been a chief counsellor of he war against Stephen, he now urged to the king is engagements with the empress, and every other rgument that he believed would dissuade him from hinking of a peace. It was indeed an improper eason to take up those thoughts : he was too deep- ly engaged ; nor could he now go back with ho- nour, either as a king or a soldier. His sense of
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this made him reject the counsels of Bruce, who thereupon left him, after having a second time, and in the most solemn manner, according to the custom and form of that age, renounced the homage he had formerly done him ; as it was no longer consistent with the higher allegiance he owed to the king of England, his natural sovereign ; and as he thought himself justly and honourably freed from it, when he had ineffectually employed all means in his power to reconcile both. He had but just time to rejoin his friends, before the vanguard of the Scotch began to advance ; at sight of which, the bishop of the Orkneys, whom the archbishop of York had sent as his suffragan, and in his place, to attend on the English army during this war, made a short speech to them, wherein he exhorted them to fight valiantly, *for the remission of their sins* ; which all of them appearing resolved to do, and with great marks of devotion striking their breasts, and calling on God to assist their arms, he gave them first a general absolution, and then his blessing. The Galwegians, who in their manner of fighting much resembled the ancient Celts, raised three terrible shouts, or rather yells, and charged with such fury, that they compelled the English pikemen in the first rank to give ground, but were quickly repulsed by the men at arms ; and finding that their spears, which seem to have been long and slender, were broken against the helmets and breast-plates of iron, they threw them away, and undauntedly maintained the fight with their swords. But while they attacked the men at arms with much disadvantage, from being themselves defended only by bucklers made of cow-hides, the archers, intermixed with these, so galled them with arrows, (which were incessantly falling upon their heads, or levelled directly at their faces and breasts) that, after a great loss of men in their
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front, those on their flanks began to be intimidated, and quit their posts. The prince of Scotland, seeing this, advanced to their succour, and made so fierce an attack upon the English, that in one part he broke through them, and passing beyond their hindmost ranks fell with his cavalry upon that troop of their horsemen, which had been appointed to guard the horses of the knights who fought on foot; and drove them before him, about the space of two furlongs. This was the decisive moment of victory, if he had been well seconded by the rest of the Scotch, before the enemy could have time to recover their order; or if, instead of amusing himself with the pursuit of their cavalry, he had immediately turned, and charged the broken phalanx in the rear. For the terror and confusion were so great, that the common soldiers and archers were beginning to quit their ground in every part of it; when one among them, whose name no historian has recorded, having cut off the head of one of the bodies slain near him, held it up, and cried aloud, *that it was the Scotch king's*; which immediately stopped their flight. They closed their ranks, and with redoubled alacrity charged the Galwegians; who could no longer sustain the arrows of the archers and swords of the knights, but, their two chiefs having been slain, fled out of the field. The victorious English then attacked the third line of the Scotch, in which were placed the Lothian and Highland troops, who hardly stood the first onset. The king, enraged at their cowardice, quitted his horse, and commanding all the barons and knights who were with him in like manner to dismount, advanced on foot, to encounter the enemy, at the head of his body of reserve. But the contagion of fear instantly spread from the others to these: and most of them shamefully

Ailred. ut
supra, p. 346.

abandoned their sovereign, without even waiting the approach of the English. David himself refused to fly; and it was with great difficulty, that the knights of his guard, and, a few of his bravest nobles, who still remained with him, having remounted their horses, which had been placed in their rear, set him likewise on horseback, and happily led him away from death or captivity; before the English army, which from the closeness of its order was slow in its motions, could come up to attack him. As their cavalry had been all driven out of the field, they could not at first pursue the king in his flight; and to this alone it was owing, that he and some part of his vanquished army were saved from the hands of their enemies. For many of those who had forsaken him before, seeing the royal standard, which was carried along with him, gathered about it; and not being pursued or molested for some time, formed by degrees such a body, that when, afterwards, some of the English horsemen came up, they found them so strong, and marching in such good order, that they durst not attack them. Thus David returned safe to his city of Carlisle. But he was two days in great anxiety about the fate of his son. That prince at his return from his too eager pursuit, found the Scotch army defeated and driven from the field. He then had only his knights, or body of cavalry, with him; the rest of his division being dispersed or destroyed. These were too few to contend alone with an army elated by victory. He therefore commanded them to throw away all the marks that distinguished them from the enemy, and mix with them, as if they had been English horsemen, come up, to join their countrymen in the pursuit of the Scotch: by which means they passed over the field of battle unopposed,

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if we may believe a contemporary historian. Certain it is, that, to avoid the pursuit of the enemy, they left the strait road, and wandered so far in the desert parts of the country, that they did not get to Carlisle, till the third day, after the king, with the remainder of his forces, had reached that town; though, in order to go they faster, they disincumbered themselves of all their heavy armour. The Scotch infantry, which had sustained the greatest loss in the battle, suffered still more in the flight: for being ignorant of the roads, and dispersed in small parties, they rambled, to a great distance, over all the northern counties, and were cut to pieces, not only by the troops that pursued them, but by the country-people, who rose upon them, wherever they came, and slaughtered them without mercy, leaving their bodies unburied, to be devoured by dogs, or by the birds of the air. To complete their destruction, when any separate parties, of the different nations, or provinces, that made up their army, happened to meet in their flight, they attacked one another with the most hostile fury, each imputing the loss of the battle to the fault of the other. The number of the slain must, upon the whole, have been great: for of those alone who had come out of Scotland, besides the confederate and auxiliary forces, above ten thousand are said, by a contemporary author, to have been killed in the engagement, or in the flight. And another historian of the same age reports, that in the field of battle eleven thousand of the Scotch were left dead: but it must be supposed that among the Scotch he includes the Galwegians. Several knights were taken, and many banners, with almost all the Scotch baggage. The English lost only one gentleman of distinction, and very few private men. None of their leaders were wounded; nor was any circumstance wanting to complete their triumph, but

Ailred. ut
supra.

V. Ric. et
John Hag.
sub. ann.
1138.

Ric. Hag. |
P. 322.

Huntingd. l.
viii. f. 223.

Ailred.
p. 246.

to have made the king of Scotland their prisoner ; a glory reserved for the more fortunate reign of Henry the Second.

Ric. Hag.
p. 322, 323.

As soon as the news of this victory was carried to Stephen, he rewarded the earl of Albemarle and Robert de Ferrers, by making the first earl of Yorkshire, and the other earl of Derby. Both had distinguished themselves in the action, the former especially, who seems to have had the chief command ; and the latter had brought out of Derbyshire a good body of troops, upon the first summons of the more northern barons, which ready assistance much contributed to the defeat of the Scotch. We are not told of any new or extraordinary honours, conferred by the king on Walter Espec or Robert de Bruce, who both deserved his highest gratitude : but, as he was liberal even to profuseness, it may be presumed that these gentlemen had a share of his bounty, and were amply recompensed by him with money and lands. Fortune now appeared to declare in his favour : for, besides this great and unexpected success in the North, his arms were prosperous in all other parts. The same week in which his barons won for him the battle of Cuton-Moor, he himself reduced the town and strong castle of Shrewsbury, which were held by William Fitz-Alan ; and finding that his clemency upon other occasions had done him no good, he tried what severity would do upon this, by putting to death Arnulf de Heding, uncle of Fitz-Alan, with all the principal men of the garrison ; Fitz-Alan himself having escaped his vengeance by flight.

Ord. Vit.
l. xiii.
sub ann.
1138.

During these events the queen had been employed in besieging Dover-castle, with the assistance of her own subjects, the people of Boulogne, who brought a fleet, to block up the harbour, and prevent the entrance of any succour which the empress might send from her territories in France :

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an enterprize well concerted and executed with vigour! Yet the place was so well defended by the valour of the garrison, that it could not be taken, till Robert de Ferrers prevailed upon the governor, who had married his daughter, to surrender it upon terms. This much affected the earl of Gloucester: for the being in possession of that castle and port was an advantage of great importance to him and his sister. One should have thought, that, when he sent his defiance to the king, he would immediately have come over to England: but it is probable that he waited to see what success the arms of David would have in the north of England, hoping that Stephen would be forced to turn his that way, and thereby leave the western and southern coasts more unguarded. But the speedy defeat of the Scotch by the northern militia broke all his measures, and constrained him to remain a year longer abroad.

Stephen, however, was so remiss in pursuing the advantages he had gained, that David had time to recover from the blow he had suffered; which, if it had been followed by a vigorous war, might have been dangerous to his kingdom: but no English army coming against him, he had leisure to recruit and strengthen his own, confirm their courage, heal their divisions, and even put them in a condition of acting offensively upon the borders. His first attempt was against *Weark* castle, which he besieged for some time; but finding it would be more easily taken by famine than by assault, he changed the siege into a blockade, and went from thence to Carlisle, where about Michaelmas he held a great council, at which repaired to him Alberic bishop of Ostia, legate *a latere* to the two kings of England and Scotland.

Ric. Haged.
p. 323, 324.

As this prelate passed through Durham, he found there, confined in the castle, William Cumin, the chancellor of Scotland, who had follow-

ed his master into England, and had been taken prisoner in his flight from Cuton-Moor. Knowing that he was a person in great favour with his prince, and much esteemed by his countrymen, he procured his release, and presented him to David; at the same time exhorting and imploring that king to put a speedy end to so cruel a war, out of compassion to the church and to his own subjects. But he could obtain no more by this mediation than a suspension of arms till Martinmas following: nor did that extend to Weark castle, which was soon afterwards constrained to capitulate for want of provisions; and, by the commands of David, was demolished. The legate then interceded strongly with the Galwegian nobility, and had influence enough to engage them to set free and bring to Carlisle, before the expiration of the above mentioned truce, most of the women, whom they themselves, or any of their people, had carried into captivity out of the English dominions. He likewise obtained a solemn promise, from them and all the rest of the barons of Scotland assembled there, that they would abstain, for the future, from violating churches, and killing women and children, or any other persons who should make no resistance. Having performed these good offices, so becoming his function, he returned into England, and held a legatine synod at Westminster, some canons of which were very derogatory to the rights of the crown, and such as Stephen should not have permitted to be made, or even received in his kingdom, if he had been able to contest any point, at this time, with the pope, or had known where it was proper to make a stand, and where to give way. I shall say more upon this subject hereafter, when I come to consider the enormous encroachments of the ecclesiastical power upon the civil, during this reign,

Decemb. 13,
1138.
Ric. Hagust.
p. 326, 327,
328.

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The bishop of Ostia, agreeably to the instructions which he had received, used all endeavours to mediate a peace between England and Scotland. He found Stephen himself and most of his council very averse to it : for they were elated with victory, and desirous of taking revenge upon David, for the mischiefs that his army had done in this war, and for his having a second time assisted Matilda, after a peace so lately made on terms advantageous to him and his family. Nor did they think they could depend on any stipulations, which he might agree to ; unless, by weakening him more, and striking a great terror into his subjects, they put it out of his power to break his engagements. But the queen, who still retained a tender affection, both for that monarch, her uncle, and prince Henry, her cousin, passionately desired to procure a reconciliation between them and her husband. The legate, perceiving that he had her on his side, redoubled his instances ; but was obliged to depart from England, without having prevailed. Nevertheless, what all his credit and skill in negotiation could not perform, the stronger influence of her importunities, and the fondness that her husband most justly had for her, at last effected. About the beginning of April, in the year eleven hundred and thirty nine, a peace was made, on these conditions ; that Stephen should grant the earldom of Northumberland in fief to Prince Henry, except the two towns of Newcastle and of Bamburgh, which he should retain in his own hands ; but the full value of the revenues thereof was to be made good to that prince, from other lands in the south of England. Such of the barons who belonged to that earldom as were willing to hold their lands of him, were permitted and required to do homage to him, saving the fealty they owed to Stephen. But there was an article, that the laws of Northumberland, as they

Ric. Hagust.
p. 329, 330.

had been settled by King Henry, should be maintained without any alteration. All the fiefs that the prince of Scotland had held under homage to England, before the war, were likewise confirmed to him by the words of this treaty. In return for which, he, and the king, his father, promised to continue in friendship with Stephen, and be always faithful to him, as long as they lived. But, to secure their fidelity, five sons of Scotch earls were given to him as hostages. The queen of England herself had taken a journey to Durham, in order to negotiate this peace with her uncle; and indeed her mediation appears very evidently in it: for it was more favourable to David than he reasonably could expect, and none of the counsellors of Stephen approved of it, if we may believe some of the best contemporary historians. Yet she had much to alledge in vindication of it, from the circumstances her husband was in, at this juncture of time.

Whatever advantages the defeat of the Scotch, in the preceding year, might have produced, if vigorously pursued, that season was lost: they now had recovered strength; nor was Stephen, after all these favours of fortune, much more able to carry the war into Scotland this year, than he had been the last. The city of Bristol and several other forts were still possessed by Matilda's adherents, who would be sure to extend themselves on every side, if they were no longer restrained by the arms of the king. It was also necessary for him to cover his coasts against an invasion, and to secure by his own presence the heart of his kingdom, where any disturbance would be most dangerous. The desire of revenge ought to give way in wise councils to considerations of safety; and nothing could so much assure to that prince the dominion of England, as a settled peace and union with Scotland. He might also fear, that,
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the legate having shewn so earnest a desire to make a peace between the two crowns, the pope would be offended at its being too obstinately and harshly refused, which to him was an apprehension of the greatest moment.

But still it was hard, and seemed to be cowardly and ignominious, after so important a victory, to submit to a treaty, on almost the same conditions, as had been rejected before the war. The northern army, if enforced by the addition of a few troops, would have sufficiently guarded the borders against a beaten enemy, till Stephen should find himself in a better situation to make an offensive war upon Scotland; and it was indisputably more becoming a prince, who professed any constancy or greatness of mind, to let things continue a short time in that state, than come into a dishonourable, or, at the best, an inglorious accommodation.

These reasons, to which the king was by no means insensible in his own temper, and which some of his ministers strongly urged, would have prevailed over those that were alledged by the queen, if his great affection for her had not turned the scale. The conduct of David was truly magnanimous. He treated with Stephen as if he had won the battle he had lost, and by that spirit acquired a superiority over him, which put it in his power almost to prescribe the conditions of the peace. But how advantageous soever it was to the Scotch, Matilda and her party were sacrificed by it; and if Stephen had known how to improve the advantage it gave him in England, he would have had no great reason to be dissatisfied with his queen for having been the mediatrix; especially, as his honour was in some measure saved, by its being supposed that he had granted it only to her intercession.

4 . HISTORY OF THE LIFE

As soon as the treaty was signed, the new earl of Northumberland went to Nottingham, and there paid his homage to Stephen: nor did he barely perform the ceremony of a vassal, but attended him afterwards to the siege of Ludlow, and behaved himself very bravely. In one of the attacks, approaching too near the wall, he was pulled from his horse by an iron hook, and would have been taken, if he had not been instantly rescued by the king himself, who disengaged him with great hazard to his own person. This must have very much endeared them to each other; and at their return from the siege, which Stephen was soon afterwards obliged to raise, a lady of his court, who was sister to William earl of Warren and Surrey, added another attachment, to bind the affections of Henry to England, and to the party of Stephen, in which her family was engaged. That young prince fell in love with her; and married her, with the consent of the king, his father. She came indeed of such noble blood, that the match was hardly unequal: for her father was related to the Norman kings of England, and her mother was a daughter of Hugh the Great, earl of Vermandois, and second brother to Philip the First, king of France. That lady, before her marriage with the late earl of Warren, had been wife to Robert earl of Meulant, the principal minister of King Henry the First, and brought him three sons; of whom the two eldest, having succeeded to their father in his earldoms of Leicester and Meulant, were in great favour with Stephen; as was likewise the young earl of Warren and Surrey, her son by her second husband. Thus all things contributed to establish a firm peace between the two crowns, and to crush the hopes of Matilda, who saw herself again abandoned and sacrificed by that power, in which she had put her first trust. Stephen, no doubt, might easily have subdued

August.
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Remitic.
c. 37.
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Vital.
p. 806.

subdued the feeble remains of her party in England, if he had not given new life to it, by an unseasonable quarrel with the church, which had been his greatest support, and which he ought to have kept attached to his interest, till he had entirely pacified and reconciled to himself the rest of the kingdom. This dissension took its rise from the following cause.

The bishop of Salisbury had extorted from the crown such immoderate favours, and used them with such arrogance, as drew a heavy load of envy upon him from all the nobility, and excited the jealousy of his sovereign himself. The highest offices of judicature and government, those of grand justiciary, chancellor, and treasurer of England, were all engrossed by him and his family. Nor was he contented with this vast extent of civil power, but sought to acquire a military strength, still more invidious, and more inconsistent with his spiritual character. Besides adding to the fortifications of the castle of Sarum, which he had obtained from King Henry, he built three others at Sherburn, at the Devises, and at Malmesbury, during this reign, with such an extraordinary strength and magnificence, as seemed to shew, not only an opulence, but thoughts, and views, too great for a subject. In emulation of him, and (as it appeared) in confederacy with him, the bishop of Lincoln, his nephew, had also built a strong castle at Newark, and another at Sleaford. Stephen, who was of a nature prone to suspicion, took umbrage at this: and he had many about him, particularly the earl of Meulant, his principal counsellor, who accused both these prelates of treasonable intentions, as if they had a secret purpose to deliver these forts, which they had erected at so vast an expence, into the hands of the empress. The charge was supported, not by any direct or positive evidence, but by jealous surmises, or common

Gest. Steph.
Reg. 943.
944, 945.
Ord. Vit. et
Huntingdon.
sub. ann.
1139. Neu-
brigenfis, l.
i. c. 6.
Malmib.
hist. nov. l.
i. f. 102,
103, 104.

mon fame : one fact alone, which could even be deemed a presumptive proof, being alledged in confirmation of it, viz. that the bishop of Salisbury had refused to permit the lord Roger de Mortimer, with a detachment of the king's horse, who were in great fear of a superior party from Bristol, to lodge a night in his castle of Malmesbury. That prelate's black ingratitude to his late master made any distrust of him appear not ill founded. Yet it was very improbable, that he should have a desire to return to Matilda, whom he had offended so highly, and knew to be of a temper not inclined to forgive. Perhaps those who accused him were not so convinced of his guilt, as impatient of his power. He might also suffer from that, which is frequently the worst offence in a court, the having conferred on his sovereign too great obligations, and seeming to know it too well. Nor was his wealth a small temptation to the prodigal king, who had spent all that the frugality of his predecessor had saved, and could find no means to replenish his empty exchequer, but by the spoils of a minister who had immoderately enriched himself and his family in the service of the crown. Nevertheless it was a most arduous and dangerous matter, considering the ferment the nation was in, and the privileges of the church, which would be certainly pleaded in this affair, to attack a prelate more strongly secured by those privileges, than by all the forts he had built, upon loose presumptions alone. From a just sense of this difficulty, Stephen, for some time, resisted the advice of his favourites, and the bent of his own inclinations ; but he had not resolution enough to persevere in that prudent forbearance. Having called a great council at Oxford, he summoned thither the bishop of Salisbury, with the rest of the barons. That prelate obeyed, though most unwillingly ; his mind foreboding some evil to him from it, either
because

because he was conscious of having deserved the king's displeasure, or because, from his knowledge of men and courts, he apprehended that his innocence would not secure him. He had, for some time, but rarely attended his master or the council; and when he did, it was with such a number of armed men in his train, that he seemed to come rather to brave than to serve him, and more particularly upon the present occasion. His nephews, the bishops of Ely and of Lincoln, followed his example in this ostentation, and came to Oxford with military retinues, sufficient to have raised a jealousy in the king, though he had entertained none before. But this which they intended for their security, or possibly for a vain parade of their strength, brought on their destruction. For a quarrel arising between some of their servants, and those of Alan earl of Richmond, about their lodgings, a tumult ensued, in which some blood was shed on both sides, one knight was killed, and the earl's nephew was dangerously wounded. Who were the aggressors is not clear; but the retainers of the two bishops having gained the advantage, they made an assault on the servants of Hervey de Levins, another nobleman of the first rank, who was particularly under Stephen's immediate protection, because, to pay his respects to that prince, he had come over from Bretagne into England, which he had refused to king Henry, though often invited. Some authors say that the cause of this riot was purely accidental; but others suppose that it was stirred up by the artifice and secret instigations of Waleran earl of Meulant, who sought an occasion of drawing the bishops into some misdemeanor, which might be a pretence to justify Stephen in seizing their castles. Whether it happened by accident or contrivance, he and his brother, the earl of Leicester, assisted by other temporal barons there present,

V. auctores
citat. ut
supra.

sent, soon put an end to it ; and using the authority of the king's name arrested the bishops of Salisbury and Lincoln, the first, in the chamber where the great council assembled, the other, in the private house, or inn, where he lodged : but the bishop of Ely, who was then in a lodging out of the town, hearing what had happened, immediately fled, got into the castle of the Devises, which belonged to his uncle, the bishop of Salisbury, and determined to maintain it against the king. If he had fled to his bishoprick, and taken asylum in his cathedral, he would have embarrassed him more. Stephen thereupon sent William of Ipres, with some of his mercenaries, to lay siege to the castle, and presently afterwards followed him thither himself. When he set out on this enterprize, he left the bishop of Lincoln in prison at Oxford, but carried along with him the bishop of Salisbury, and his son, the lord chancellor, under strict custody ; swearing to the first, that he should remain without food, till his nephew, the bishop of Ely, surrendered the castle ; and ordering the other to be hanged on a gibbet before the gate, if it was not opened to him at the end of three days. Ordericus Vitalis relates, that the chancellor's mother, being in the castle, and having the custody of the principal tower, delivered it up, to save the life of her son, against the will of the bishop of Ely, who paid no regard to the king's threats or his uncle's entreaties : but others say that the bishop was brought to capitulate by the great danger in which he saw his relations. Certain it is that this fortress, accounted at that time one of the strongest in Europe, was yielded to Stephen at the end of the term he had fixed ; the three others, which belonged to the bishop of Salisbury, having been also surrendered to him in the same manner. Nor did the bishop of Lincoln regain his liberty on easier terms : for he
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likewise was brought before the gates of the castles of Sleaford and Newark, and threatened to be famished, if they were not opened to the king without delay : which was accordingly done ; yet not without difficulty on the part of his friends, by whom they were garrisoned, and whose reluctance to surrender them his prayers and tears could hardly overcome. Stephen being thus possessed of the fortresses he so much desired, and finding in two of them a great treasure hoarded up by the bishop of Salisbury, he seized that also as a lawful prize, and applied it to his own use. But, though his finances much wanted such a supply, he soon had reason to repent of the part which the impetuosity of his temper, and the counsels of favourites, whose passions and interests governed their opinions more than his honour or service, had made him take. The riot at Oxford was indeed a very high misdemeanor, which greatly offended the royal majesty and the peace of the realm ; but it did not appear that the two bishops, and much less the chancellor, had any hand in it, either as actors, or instigators ; and it was very unjust to impute to them the crime of their servants. It might perhaps have been proper to bring them to a trial, if there was any legal evidence of their being concerned in it : but, without any process, or form of law, to arrest, imprison, and treat with such cruelty, and so much indignity, men of such rank in the church and state, principal ministers, prelates, and peers of the realm, might reasonably incense, not only the clergy but the whole nation, as overturning all liberty, and subverting the fundamental laws of the land. A grievous aggravation of it was the time and the place in which it was perpetrated, at a parliamentary meeting, to which they were called by the king's summons, under the guard
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of the royal faith and the most sacred rights of the nation: there to be seized, one of them in the sanctuary of the palace itself, in the very chamber wherein the great council assembled; and then, unheard, uncondemned, to be menaced with shameful and cruel deaths, actually kept from food some days, and at last robbed of their property, was usage unknown before to the barons of England, even under the despotism of William the Conqueror! And what could the rest of the king's subjects expect from him, when they saw him proceed so harshly, and with so little regard to the first principles of justice and freedom, against the family and person of that very man, to whom, in some measure, he owed the crown he wore? Indeed this method of forcing their castles out of the hands of his barons was one of his favourite measures, which he had recourse to upon every difficulty, making no scruple to violate the safety of his court, the honour of the crown, and the liberty of the people, whenever he doubted the fidelity of a vassal, or desired to get possession of any strong place. Thus, while he suffered his laws, and the legal authority of his government, to be continually insulted, he stretched his prerogative beyond all bounds, and hurt himself equally by weak complaisance and tyrannical acts of power. Yet so long as he continued to favour the church, he kept a strength in the clergy, which deterred his other subjects, however discontented, from revolting against him: but, by attacking their privileges, and incurring their enmity, he shook the foundations upon which he himself had fixed his throne. Their resentments on this occasion were carried so high, that his own brother, the bishop of Winchester, thought it advisable to take up their cause. He publickly and loudly protested against this act of the king; he frequently exhorted him to make restitution and satisfaction; which being denied, he convened a synod at Winchester, as the pope's

pope's legate, and cited Stephen himself to appear before him there and answer for his conduct. This was such an affront to the majesty of the crown as would have roused the most abject spirit; yet, instead of resenting and punishing it, Stephen allowed himself to be subject to that jurisdiction, which he ought not to have permitted his brother to exercise over the lowest man in his kingdom. He did not indeed appear in person; but he suffered the synod to meet, and sent some of his ministers to plead for him before them.

If the two injured bishops had complained of the king's proceedings, and demanded redress in the high court of parliament, the utmost attention ought to have been given to them: but for a subject of England, acting by an authority derived from the pope, to make himself and the clergy judges over their sovereign, in their own cause, was as great an offence against the royal dignity, as what he had done was prejudicial to the rights of the nation and the privileges of the peerage. One is no less astonished at the boldness of that prelate's presumption, than at the tameness of Stephen, in submitting so far to it, after the spirit with which he had set out in this affair. It would have cost him no more to have dissolved this legatine council, or at least to have forbidden them to meddle with any points concerning his government, than to commit the acts of violence he had been guilty of, against the bishops of Salisbury and Lincoln. But in his whole conduct we may observe the same levity: he wanted no courage to begin the most hazardous and rash undertakings, but had not constancy enough to go thorough with them, when he was engaged. His brother knew this, and therefore took a resolution to put himself now at the head of that party, which he foresaw would in the end be the strongest. He had also secret discontents, which impelled him to act against a court,

in which he did not enjoy that supreme degree of favour and power, he thought he had every way a right to expect. Others were more consulted than he : an offence that he would not have pardoned, either in them, or the king, though he had not had so much reason, as they really gave him, to disapprove of their measures. Upon the death of the late archbishop of Canterbury, he had asked for that see, and had met with a refusal. It is no wonder if he felt resentment at such a disappointment. After having procured the crown for Stephen, he might reasonably demand that dignity from him ; and it was very imprudent in his brother to deny him the object of his ambition, at a time when he wanted his friendship, and knew that he was a man whom no tie but his interest could ever secure. That imprudence was doubled in suffering him now to exercise the legatine power in England, which had before been granted only to the archbishop of Canterbury, and which this prelate had first obtained during a vacancy in that see. It would have been, in this conjuncture, of great advantage to Stephen, if he had availed himself of the archbishop's discontent on this subject, and seemed to favour his claim to that commission ; which, without offence to the pope, would have produced for some time an entire suspension of any legatine authority in the realm, till he could be sure that the legate would be subservient to his interests, or at least not his enemy. Thus he might with less difficulty have got rid of this council, and have kept his brother, for the future, more under controul. But he both neglected to preserve so important a friend, whose assistance would have made him master of the rest of the clergy, and to restrain his power, when he found it was become hostile to him, by proper checks. Which mistake was of such consequence, that it almost cost him his crown.

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The bishop opened the council by producing his legatine commission from Rome, which appeared to have been renewed to him some months before (that is, from the time the bishop of Ostia was recalled) but he had not chosen to make use of it till this occasion. He then set forth, in the most tragical terms, his brother's offence against the church, declaring, that, rather than the episcopal dignity should be so trampled upon, there was no evil which he would not be willing to endure. He said, he had frequently admonished the king to repent of his sin and make satisfaction for it; and had brought him at last not to forbid the calling of this council. He therefore exhorted the archbishop of Canterbury, who was there present, and the rest of the synod, to consult together, and determine what ought to be done; assuring them, that neither out of regard to his brother, nor from any loss of his fortune, or danger of his life, would he fail to execute what they should decree.

The earls, who were sent to the council as the king's advocates, being admitted, they asked why he was cited: to which the legate replied, that, as he was subject to the religion of Christ, he ought not to resent his being called by Christ's ministers, to make satisfaction for such an enormity as had not been seen in that age: that to put bishops in prison and strip them of their possessions was an act only known to times of paganism: that if he would deign to take advice from him, it should be such as neither the see of Rome, nor the counsellors of the king of France, nor their own brother, the earl of Blois, who was so wise and religious a man, should have any cause to blame: and that nothing, at present, could be more requisite for him, than either to lay before the council his reasons for what he had done, or humbly submit himself to a canonical sentence: for he was bound to respect and favour the church, by the affection of which, and not by

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gust. p. 337.
Gerv. Chron.
p. 1347,
1348.

arms, he had been raised to the throne. The earls upon this left the council, and made their report to the king, who found himself much embarrassed what course to take. In the legatine council, which he had permitted the bishop of Ostia to hold at Westminster, a canon was made, declaring that whoever should kill, *imprison*, or *lay violent hands upon any ecclesiastic*, if after three summons he did not make satisfaction, should incur a sentence of excommunication not to be taken off but by the pope himself, unless in an immediate danger of death; and if he died impenitent, his body was not to be buried. Excommunication was likewise denounced against any person, who should violently usurp the goods of the church. Stephen, in these canons, to which he had given the force of laws, might read the sentence of his own condemnation. He had, moreover, by his charter granted at Oxford, put all ecclesiastical persons and goods under the sole jurisdiction and power of the bishops, which seemed to preclude him from ever trying this cause in any civil court. Being thus sadly entangled, both by the weakness of his former concessions, and by the imprudence of his late conduct, he found no better issue, than to follow his brother's advice in part, and give the council his reasons for the act he had done, though he had no grounds to believe that they would be admitted in his justification. He therefore sent back the two earls, and with them Aubrey de Vere, an eminent lawyer, who had succeeded to the bishop of Salisbury in the office of grand justiciary, upon the disgrace of that prelate. To him the king entrusted his cause, and he said for him all that such a cause would admit, charging the bishops of Salisbury and Lincoln with sedition and treason, but upon bare presumptions or allegations without proof, of which an account has before been given. He further pretended that they had willingly surren-
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Malmsh. hist.
nov. f. 103.
104. l. ii.

dered their castles into the hands of the king, to avoid being prosecuted for the riot at Oxford. He spoke of the money taken from the bishop of Salisbury, as a much less sum than it really was, and alledged that it lawfully belonged to the king, as having been collected in the reign of his predecessor out of the revenues and rents of the crown ; affirming also that this, as well as the castles, had been voluntarily yielded, by way of composition for the bishop's offence : of which, he said, the king could bring witnesses. He likewise pleaded that Stephen had arrested that prelate, not as a bishop, but as one of his ministers, who managed his business, and received wages from him. He particularly charged the bishop of Lincoln with having excited the tumult at Oxford from an old hatred against the earl of Richmond. Finally, he demanded, in the name of the king, that the agreement made between him and the two bishops should remain good.

The bishop of Lincoln was not present in the council ; but his uncle of Salisbury was, and, with a spirit unbroken by his disgrace and his sufferings, denied the facts asserted by Aubrey de Vere, demanded restitution of what he had lost, and declared, that, if justice was refused to him there, he would seek it *in a bigger court*, meaning that of Rome.

The legate, with an appearance of temper and coolness, said, the two bishops ought to have been first accused of the matters laid to their charge in an ecclesiastical council, and an enquiry should there have been made into the truth of those facts, instead of sentence being given and executed before condemnation. Wherefore he insisted, that, agreeably to the practice in civil courts, the king ought to restore to them all their possessions, till the cause was determined ; for, before that was done, they could not, without departing from the rules of

natural justice, be required to plead. It was difficult to deny the truth of this proposition ; but, as the king's ministers would not agree to it, the council adjourned, at his request, till the next day, and then, till a third, to wait for the arrival of the archbishop of Rouen, who, to the surprize of his brethren, undertook to defend the cause of the king. He brought the dispute to a short issue. " I will grant, said he, that the two bishops shall have their castles restored to them, if they can prove that by the canons they ought to have any ; but, as I am certain they cannot, I think that for them to desire what the canons prohibit would be extremely indecent ; and even admitting, that, by the indulgence and favour of the crown, they might be allowed to have castles, yet in time of danger they ought to put them into the hands of the king, whose duty it is to take care of the public peace : from whence it follows, that, either way, their cause must be lost."

There was more art in this argument than in all that had been used by Aubrey de Vere. What the council said to it we are not told : but it may be observed, that it was no vindication, either of the imprisonment of the two bishops, or of the violent methods by which they had been forced to give up their castles, or of the king's taking his money, without judgment of law, from the bishop of Salisbury. The objection drawn from the canons was very embarrassing : but however contrary it might be to them, or indecent in itself, for bishops to be builders or governors of castles, they had the king's own licence to plead for it : and though in the sense of the law all fortresses were supposed to belong to the crown, it seemed a hardship, and an injustice, to take away those which any subjects had fortified at their own charge, without very strong and apparent grounds of distrust. After the archbishop had ended his speech, Aubrey de Vere said, " The

“ The king had been informed that the two bishops had threatened to send some of their brethren, with complaints against him, to Rome ; but that he absolutely forbade them to do it : and if any one of them should presume to go thither, against his will and the dignity of his realm, he would have him to know, that he should find it difficult to return.” So far was well, but all the merit of that was lost by what followed. For the same minister notified to the council, that Stephen, seeing they would do him no justice, appealed against them to Rome. Such an appeal was a fatal wound to the royal authority. Indeed his whole conduct in this unhappy affair was a continued series of errors and faults. He offended the pope, he offended the English clergy, who were his best friends, by an unseasonable attack on their privileges ; and yet, in the process of that violent act, he more than ever debased his own dignity, by mean and unkingly condescensions to both. A virtuous prince would have respected those privileges which he had sworn to maintain ; a prudent one would have found a more proper time for this quarrel, and less odious measures to support it ; a resolute one, after having drawn the sword, would have decided by *that* a dispute of this nature, in which *that* alone could render him successful. Stephen neither preserved the affection of his clergy, nor humbled their insolence : he did enough to make them his enemies, but not enough to make them his subjects.

When the legate heard that his brother appealed to the pope, he found it necessary to break up the council. They were afraid to proceed further against that prince, after he had submitted his cause to Rome, especially, as some of his nobles and soldiers began to threaten, both by their words and their actions, to revenge any indignity which should be offered to their sovereign. Nor was the bishop of Winchester himself unwilling to stop, having

done all that he wished for his own advantage. He had signalized his zeal for the church, and raised his credit with the clergy of England to the highest degree, by appearing their champion against his brother. And, probably, in his heart he was not much displeased, that the bishop of Salisbury, who had been his rival in wealth and power, should be left, for the future, in a state of humiliation. That prelate therefore and the bishop of Lincoln were obliged to remain without any satisfaction for what they had lost. But Stephen had certainly no cause to rejoice in what he had gained. The discontent of the clergy upon that account was so great, and their complaints had such an influence on the body of the people, that presently afterwards, the Empress Matilda, who had waited almost four years since the death of her father, without daring to venture her person in England, and whom the defeat of the Scotch, with the loss of Dover and the important towns of Shrewsbury, and Hereford, had reduced, a little before, to the brink of despair, thought her party so strengthened, and conceived such hopes of a much greater defection from Stephen, as to resolve to come over and put herself at the head of her friends. That she and the earl of Gloucester entirely depended upon the internal state of the kingdom, and the dispositions they expected to find in their favour, appears very plainly, from the small force they brought with them, which was no more than a hundred and forty knights. The English coasts being guarded by Stephen's fleets, particularly, by that which he had drawn from Boulogne, and Matilda having none that was strong enough to fight with them, it would have been difficult to secure a great embarkation; which, undoubtedly, was the chief reason of their bringing so few: but with those few they could not hope to overcome the opposition they would meet with in England, if they had not counted on numbers to join

Malmsh. hist.
 nov. l. ii. sub
 ann. 1139.
 Gest. Steph.
 Reg. p. 946.
 ad 952.
 Ord. Vital.
 p. 92. l. xiii.
 Chron.
 Norm. Hun-
 t. l. i. et
 Gerv.
 Chron. sub
 ann. 1139.

join them there, and on the benefit of a secret intelligence with some of the greatest about the king, especially among the spiritual lords, who did not yet openly espouse their party.

They had sent over before them Baldwin de Redvers, earl of Devonshire, whom Stephen had compelled to fly out of the kingdom, and who, having landed at Wareham with a body of horse, was received into Corfe-castle, one of the strongest in the island. Stephen immediately went and besieged him there; but he was advised by his council to desist from that enterprize, and apply all his vigilance to guard the ports, at which they apprehended that Matilda and her brother would endeavour to land. He did so; but his care was de- A. D. 1139.
ceived by an intrigue which he did not suspect.

Adelais, the widow of King Henry the First, though she was married again to William de Albini, earl of Arundel and of Suffex, retained such an affectionate regard to the memory of her deceased husband, that she kept up a secret friendship with his daughter Matilda, which the earl of Gloucester now thought they might avail themselves of, to draw them out of the difficulties they were under how to land with safety in England. Arundel castle was a part of her dower. Stephen had put no garrison into it, out of respect to the lady in whose right it was held; nor did he think of guarding the coast about it with an army or a fleet, as he had no suspicion of her corresponding at this time with the empress, because he lived in friendship with her husband. A secret application was therefore made to her, by the earl of Gloucester and Matilda, to receive them into that castle; which she consenting to, they came into Arundel haven, on the last day of September, in the year eleven hundred and thirty-nine. After a very short abode in the castle, the earl, attended only by twelve of the knights whom he had brought over from Anjou, went

V. auctores
cit. ut supra.

went from thence in a dark night, and travelled towards Bristol, by unfrequented roads, passing unknown through a country that was more than any other devoted to the king. When he was come about half of his way to that city, Brian Fitz-comte, governour, or constable, of Wallingford castle, met and escorted him, during the rest of his journey, with a good body of troops. Thus he arrived safe at Bristol: but it appeared no small hazard, to which he exposed the person of Matilda, by leaving her thus shut up in Arundel castle. Yet he thought he might securely depend upon the faith of the dowager queen, and the great strength of the place, which the enemy could not take without a long siege; so that he hoped to relieve it, before his sister should suffer any extreme inconvenience, and to make himself master of all the west of England, while Stephen was employed in besieging her there. The project was that of a great man extraordinary, but well grounded. And Matilda's courage was such, that there is reason to believe she gave her consent to it, with as much confidence as her brother advised it.

Intelligence being brought to the king of her landing, he instantly quitted Marlborough, which he was besieging, and, with the best of his forces, very expeditiously came before Arundel castle, hoping to find the earl of Gloucester there with the empress. But when he was informed that the earl was gone, he pursued him, with part of his troops, leaving a sufficient number to block up the castle, and, the pursuit being ineffectual, returned to the siege and pressed it vigorously, thinking with good reason that he ought to make this his principal object, his principal enemy being there enclosed. But the bishop of Winchester advised him to let her go out of the castle and join the earl of Gloucester, under a notion that he might more easily subdue them together, than while

while they were separate. Stephen was so weak as to follow this advice, and having first given her hostages, as well as his oath, for her security, sent her under his own safe conduct to Bristol, escorted by his brother and the earl of Meulant, his chief minister: a thing hardly credible, if it were not attested by so many historians, that a king should convey a princess, who came to invade and claim his kingdom, out of a castle in which he held her besieged, to another part of the country, where her greatest strength and interest lay, safely and peaceably, under the guard of his own troops! It was indeed a strange effect of that infatuation, which sometimes seems to shew itself in the conduct of sovereigns, whom the Providence of God intends to chastise. For even supposing that it would have been necessary for Stephen to go, and make head in the West against the earl of Gloucester, he might have committed the siege of Arundel castle, during his absence, to William of Ipres, or at least have blocked up the place so closely, by sea and by land, as to hinder Matilda's escape, instead of sending her to head her friends, dispel the anxieties they were in for her safety, and foment the revolt.

The bishop of Winchester in giving this counsel certainly acted perfidiously; for he was not capable of such an error in judgment. It was a publick report, that he had met the earl of Gloucester on his journey to Bristol, and held an amicable conference with him: but I presume, he made use of other more secret means of negotiating with the empress, whom he had invited by letters to come into England, and with whom he undoubtedly had been long in connection, possibly from the Time of his first discontent against his brother. He saw that the measures the king pursued would in all probability occasion his destruction, and therefore desired to secure

V. auctores
cit. ut supra.

V. Malmsh.
hist. nov. l.
ii. f. 108.
sect. 10.

HISTORY OF THE LIFE

support to himself, that he might not fall. He did it however so artfully, that Stephen was duped by it, and believed him his friend, and was by his following his advice in this instance; which was very surprising, after the scene that had been acted in the council of Winchester. Matilda, thus, by the assistance of this prelate and the folly of Stephen, delivered from her confinement in Arundel castle, found herself mistress, in a very short time, of a considerable part of the kingdom. The earl of Gloucester had so fortified the city of Bristol as to make it impregnable. He also possessed the county of Glamorgan, which came to him by his wife; and, as his mother was daughter to Rhccs ap Teudor, the last king of South Wales, he derived from the affection of the Welch to her family a great interest there, which was still increased by his close union with two of the most powerful lords in those parts, who were cousin ger-mans, and acted together, in support of Matilda, namely, Brian Fitzcomte and Milo Fitz-walter. The former of these possessed the lordships of Aber-gwynny and Overwent, in what is now the county of Monmouth: the latter enjoyed the best part of Brecknockshire in right of his wife, with ample possessions in two of the English counties adjoining to Wales, Herefordshire and Gloucestershire, having also the government of the royal castle of Gloucester, and being hereditary constable of England. But the power of this baron was of less use to Matilda than his personal talents. Very few men of those times were comparable to him either in council or action. By his activity, valour, and discretion, and by the abilities of the earl of Gloucester, who had all the great qualities that are requisite in the head of a party, and all the virtues that could be consistent with the unhappy necessities of that situation, the cause of the empress was supported: and with their



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her help she gained strength, though unassisted by any foreign powers, and without any other means of maintaining the war, than what she drew from the war itself, or from the voluntary aid of her friends; being in such want of money, that her very household and table were now kept at Milo's expence, in the castle of Gloucester; where, after a short abode at Bristol, she went to reside.

Stephen exerted himself with great spirit and resolution in the defence of his crown. He was continually at the head of his forces, exposing his own person to every danger, besieging castles, or marching to the relief of his friends, when any of them were attacked. Among other exploits, he drove the bishop of Ely out of that island, where he had declared for the empress, trusting to the natural strength of the place and the fortifications of his episcopal palace. The forcing of these was indeed an arduous enterprize: but Stephen, by a well-conducted assault, made himself master both of the island and castle; the bishop with difficulty escaping to Bristol, and leaving all his riches a prey to the conqueror. His uncle, the bishop of Salisbury, had died very miserably, a little before, of grief and anger at the loss of his castles and treasures, which, as soon as he perceived that the council of Winchester could not oblige the king to restore them, had affected him even to a degree of frenzy: and he had the additional torment of seeing the last remainder of his wealth, which he had deposited in his cathedral at Sarum, taken from that church, while he lay on his death-bed, and delivered up to the king, by his canons themselves. Such was the end of this ambitious, crafty, ungrateful man, who, having been raised from the dust, by the extraordinary favour of King Henry, his master, to the highest fortune a subject could hope for, abandoned the daughter of his deceased benefactor, and,
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in contempt of repeated oaths, was a principal instrument of giving the crown of England to the earl of Boulogne. But Providence punished him, even by the hands of that prince for whom he had violated so many duties: his own exorbitant riches, immoderate greatness, and insolent pride, being the apparent causes of his ruin.

Stephen, having thus replenished his empty coffers, was enabled to encrease his mercenary forces, and bribe the nobility of his party with liberal gifts, the only bonds by which he now preserved their affections. Yet many forsook him, and others remained in a state of sullen indifference, waiting the event of the war, and fortifying themselves in their own districts. Even those who still preserved their fidelity to him were hardly his subjects; and he was forced to obtain from them a mere external form of obedience, by sacrificing the dignity and power of the crown. All the inconveniences and faults of the feudal system, which had been in some measure concealed, while the reins of government were in prudent and vigorous hands, now discovered themselves in their full extent; by endless sub-divisions of opposite factions even in the same party; by continual attempts in the greater vassals to oppress the inferior, or in the inferior to shake off their subjection; and by strong combinations of criminals for mutual support against any coercion or chastisement of law. Stephen had not the capacity to reduce into order all this confusion. Every attempt he made to that purpose served only to perplex and embroil him the more. When he endeavoured to sooth and conciliate, he hurt his affairs by an excessive complaisance: when he meant to exert the royal authority he ran into violence and absolute despotism. His most reasonable measures were often ill-timed; so that they either miscarried, or proved detrimental to him in
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their success. The clergy, who before had been his best friends, were now his worst enemies, charging him with ingratitude, impiety, tyranny, and turning every sermon they preached into a libel against him and his government. The bishops indeed were not yet in open rebellion against him; but they complained, they caballed, they shewed strong marks of a total alienation; so far, that in the year eleven hundred and forty, when he kept his Whitsuntide festival in the tower of London, and held a great council there, according to ancient custom, he was not attended in it by one English prelate. Upon the death of the bishop of Salisbury, the bishop of Winchester had recommended a nephew of his own to that see: but Stephen, either suspecting his intrigues with the empress, or, at least, being afraid of encreasing his power, preferred the recommendation of the earl of Meulant. After this publick and sensible mortification, he left the court with open disgust, and came thither no more for some time. Nevertheless, as he thought it still necessary to keep up a form of fraternal affection, he set on foot a treaty of peace between the king and Matilda, about the beginning of summer in the year eleven hundred and forty, offering to mediate between them himself. Stephen had cause to distrust his mediation, but could not in decency reject such a proposal from the pope's legate and his own brother, especially as Matilda did not refuse it. A congress was appointed near Bath, where plenipotentiaries met on both sides: on Matilda's, the earl of Gloucester, and other persons, whose names I do not find mentioned; on Stephen's, his queen, the archbishop of Canterbury, and the bishop of Winchester. But it was a mere shew, to impose upon the publick; the quarrel being such as could not admit of any agreement. Matilda very artfully declared her

V. Malmsh.
hist. nov. l.
ii. f. 105. §
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Vid. anteores
cit. ut supra.

herself willing to submit her pretensions to the judgment of the church, knowing that the bishops were almost all her friends; which being likewise no secret to the king, he would not consent to their partial arbitration. Thus the congress broke up, without any benefit to either party, except what the legate in concert with the empress expected to gain by it, they having made her more agreeable and Stephen more odious to the clergy of England, by the compliment she had paid to them and he had rejected. Yet, as the nation was ready to sink under the miseries it bore from the war, and the bishop of Winchester's reputation, abroad, as well as at home, rendered it necessary for him to seem to desire that peace should be made, he went over to France in September, to treat of it there with his brother, the earl of Blois, and with the French king, whose mediation as Stephen could not well refuse (that prince having lately married his sister to Eustace Stephen's son) so Matilda came into it, trusting to the intelligence she had with the bishop. About the end of November he returned in England, with a project of peace, the conditions of which are not mentioned; but they were so advantageous to the empress, that she agreed to them without any hesitation. Stephen, after some doubt, rejected them: upon which the bishop immediately retired from court, and professed a resolution to meddle no more in publick affairs. One may conjecture that the project was, to give England to Matilda, Normandy to Stephen, and the earldoms of Mortagne and Boulogne to Prince Eustace; for in all probability no other proposal would have been at this time received by Matilda, or refused by the king. The court of France would have found their account in the separation of England from Normandy, and the bishop of Winchester might

might flatter himself with the hope, that he should more absolutely govern that kingdom under Matilda, than he could under Stephen, whose affection he knew he had lost. But one can hardly suppose that he had much expectation of prevailing upon that prince to accept of these terms. He rather proposed to gain credit with the clergy and people, as having impartially laboured for the peace of the kingdom; and to leave his brother accountable for all the calamities attending the war. These were greater than any that England has suffered, in any other period, before or after these times. The whole realm was full of castles, the lords of which having declared either for the king or the empress, or keeping themselves in a state of independence and anarchy, ravaged and plundered the country all round about them, with little distinction of friends from foes; as most of their garrisons had no means of subsistence, except from these depredations. They tore the very beds from the farmers and husbandmen; and, not being satisfied, in the houses of the rich, with unmercifully pillaging all they could find, they seized the persons of those they knew, or only suspected, to have any reserve of money or effects concealed from their search, and bearing them off compelled them to deliver it up, by all the horrid variety of exquisite torments which the most skilful cruelty could invent, such as had never been heard of before in this nation, and of which the description itself would be painful to human nature. The terror caused by these outrages was so universal, that most of the villages and farms were deserted; the lands were uncultivated; and, famine ensuing, multitudes died of hunger. Commerce and industry were extinct; the merchants were ruined; some of them left the kingdom; others, who before the troubles began had been possessed of great wealth, now begged their bread from door to door.

Vid. auctores citat. ut supra.

The seats of the gentry were destroyed ; towns and cities were fired ; not even the convents or churches were secure from rapine and sacrilege. The great number of foreign troops, which both the contending parties now brought into England, completed its ruin. Stephen's mercenaries, hardened to every crime, inhuman, remorseless, infested and desolated all parts of the country that was subject to Matilda. On the other side, the earl of Gloucester, compelled by necessity, called in, to his aid, ten thousand Welch, rapacious and bloody barbarians, whom he could not restrain by the curb of any regular discipline, to which, in their own country, they had not been accustomed. Indeed his authority was forced to give way to the licentiousness of the times : for even the city of Bristol, his head quarters, became, during the course of these intestine disorders, a mere stronghold of banditti, out of which they continually made excursions to plunder the neighbouring counties, returning with numbers of miserable captives, whom they constrained to redeem themselves with all they were worth, and murdered many of them in tortures, to extort from them a confession of what they could raise, or force them to pay beyond their means. In short, all the enormities that avarice, lust, and rage, unawed by government, could be guilty of, in their utmost excesses, were committed alike by both parties. In this manner the civil war had continued more than three years, without any great battle having been fought or decisive advantage obtained : but the events of the year eleven hundred and forty one were very important.

Among the English nobility none was more powerful, none of more consequence to either of the parties, than Ranulph earl of Chester. He had married a daughter of the earl of Gloucester ; but notwithstanding so intimate a bond of alliance, he had

had hitherto avoided to engage with Matilda, because he had received many favours from Stephen. Yet that monarch had been forced to give him some cause of discontent. The town of Carlisle and county of Cumberland had been granted to his father by William the First; but his interest in them had lately been sacrificed to the peace made with Scotland, at which he expressed much resentment. The king sought to appease him by other grants of crown lands; and he appeared to be satisfied with these compensations, till from other incidents a new quarrel arose between them. William de Raumarā, half brother of the earl, enjoyed the earldom of Lincoln as part of the inheritance of Lucia their mother, who was sister to Edwin and Morcar: but Stephen withheld from him the castle of Lincoln and kept it in his own hands, as belonging to the crown. Nevertheless the two brothers having got into possession of it by fraud and surprize, drove out the garrison placed there by the king, who, though grievously offended, thought it necessary to seem to forgive it, and before he departed out of the county of Lincoln, into which he had marched upon the news of this event, confirmed the claim of William de Raumarā, and left them both, not only assured of his pardon, but even graced with new dignities and other marks of his favour. They so much confided in these shews of reconciliation, or supposed it so dangerous for him to break with them, that they kept the castle ill provided against a siege; which the citizens of Lincoln observing, and being no friends to either of the earls, sent information to Stephen, that he might, by a sudden attack, take the castle and the persons of the two brothers therein, without any difficulty: offering to assist him themselves in this attempt. The king, neither sufficiently weighing the consequences, nor regarding how much his own honour might be

Steph. sub.
ann. 1141.
Malmib.
hist. nov. f.
105, 106.

A. D. 1141.

Vid. aucto-
res citat. ut
supra.

hurt by such an act of hostility done against those, to whom, just before, he had given new assurances and pledges of friendship, received the proposal with joy. The greater part of his forces was then quartered at London, or in the country about that city, where he had intended to hold his court at the Christmas festival now approaching. These were presently drawn together; and his barons having been summoned to meet him at Lincoln, on a day he appointed, the town was filled with his troops, and the castle invested, amidst the solemnity of the Christmas week, without regard to the religious cessation of arms usually observed at that time, and before any intelligence of his design had been given to the earls. As they apprehended no danger, they had not even sent away their wives, whom they had lately brought thither, and whose presence much aggravated the distress they were in, at finding themselves now besieged by Stephen. But the earl of Chester escaped out of the castle by night, or (as some authors say) at the instant when the king was entering the town; and got safe into Cheshire, where he raised all his vassals, and even drew to his banner some of the neighbouring Welch. Yet not thinking this army sufficient to encounter with that of Stephen, he applied to the earl of Gloucester, and, with strong protestations of future fidelity and gratitude to Matilda, implored him to join his troops to those which he had collected, and instantly march to relieve the castle of Lincoln. The earl of Gloucester, concerned for the safety of his daughter, and considering it as a point of the utmost importance to fix the two brothers in the party of the empress, determined at once to comply with this request. A good body of his forces lying at Gloucester, he marched them out of that city; and, being joined on the road by the earl of Chester and his troops, advanced towards Lincoln; but concealed his real design under other

Malmsh.
hist. nov. l.
ii. f. 106.
H. Hunting.
Ord. Vital.
Gervase, et
Neubrigensis,
sub. ann.
1141.

other pretences, till he had led his army so far into the enemy's country, that the difficulty of retreating made it necessary for them to seek their safety in the good success of their arms. For he doubted their readiness to engage in the enterprize, if they had been told on what service they were to go, before they set out. When they approached nigh to Lincoln, the castle was just on the point of surrendering, having with very great difficulty held out six weeks, by the valour of the garrison. As soon as ever the king had intelligence of his coming, he immediately drew his forces out of the town, and ranged them on a plain, at a little distance from it, in order of battle, being no less desirous to fight than the enemy, whom he exceeded in number (as some of the contemporary writers affirm) or at least had more knights and men at arms, in whom, at that time, the greatest strength of an army was thought to consist. Not far from the ground where he had thus taken post, the earl of Gloucester was stopped in his march by the impediment of a ford, which being flooded and swoln by a sudden rain that had fallen was become very dangerous. Nevertheless he resolved to pass it, and executed that resolution, without any loss. One author says, that Stephen detached a strong body of forces, both horse and foot, to oppose him in his passage, and that they were defeated: but, as William of Malmesbury, (who would scarce have omitted a circumstance which added to the glory of the earl of Gloucester, his patron) in describing the difficulties he met with on this occasion takes notice only of the depth of the waters, it may be presumed that no opposition was made by the enemy.

The royal army was drawn up in three bodies. That where the king erected his own standard, and which he commanded in person, he made very strong; but formed it entirely of foot; having

dismounted the best of his cavalry, and placed them there in a compact batallion or phalanx, which method had been lately and successfully practised by his own generals at the battle of Cuttonmoor. He was himself on foot at the head of them, having sent his horse away to some distance; as he had also sent those of all the men at arms who were in this division. The two other divisions were cavalry, which he advanced on the flanks before his foot. One of these was led by Alan earl of Dinan and of Richmond, with whom were joined the earls of Meulant, of Norfolk, of Surrey, of Pembroke, and of Northampton. The other was commanded by William of Ipres, and by the earl of Yorkshire and Albemarle, who had under his banner some of those brave northern barons, by whose assistance he had triumphed over the Scotch. But both these bodies of horse were weak in their numbers: for the nobles, who came to serve at the siege of Lincoln castle, had brought with them few of their vassals; and Stephen, in order to strengthen his main body, or center, had very much diminished the force of his wings. When the earl of Gloucester came up, and saw the disposition made by the king, he likewise formed his order of battle in three divisions. One was entirely composed of those barons and knights whom Stephen had deprived of their honours and lands: a remarkable instance of the unhappy state of those times! By whom they were commanded we are not told; but among them were several earls; and they made a most formidable body of cavalry, all breathing revenge, and determined either to die, or regain their former possessions, that day. Another division was led by the earl of Chester, consisting of forces exercised in continual wars with the Welch, of which part were horse and part foot. These two bodies were placed over-against the king's cavalry, upon the flanks, and the

the earl of Gloucester commanded the center, which was opposed to that of Stephen. We have no certain account of what troops it was formed ; but it seems to have had in it both horse and foot, and to have chiefly consisted of his own vassals, with whom he had taken Nottingham a little before. I do not find that he followed the example set by the king in making any of his horsemen dismount, to fight on foot. But besides these divisions there was a considerable body of Welch, which he posted at some distance upon the flank, wisely avoiding to mix those irregular forces with his line of battle, for fear that they should throw it into confusion. The two armies being thus marshalled, they both were encouraged by military orations, according to the custom that prevailed in those days ; but the impracticability of retiring with safety was a stronger incitement to the troops of the earl of Gloucester than any harangue. Fatigued as they were with a long and toilsome march, they boldly advanced to attack the king in his post, without taking the least repose or refreshment. The fight was begun by those he had stripped of their patrimonies. They fell with great fury upon the body of cavalry led by the earl of Richmond, and being too eager to lose any time in tilting with their lances, as it was then the fashion for knights to do, threw them away, and came up to close fight with their swords ; which so daunted the enemy, that they made no resistance : many were killed, and many taken ; but the greater number of them fled ; and among these all the earls who belonged to that division. While this was doing, William of Ipres and the earl of Albemarle attacked and routed the Welch : but the earl of Chester, in that instant, vigorously charging their troops, which the action with the Welch had thrown into disorder, they were entirely defeated. Thus, both his wings being beaten and

dispipated, the king was left without horse. The victorious troops did not pursue the flying squadrons, but joined the earl of Gloucester; and, having surrounded the body of infantry in the center, where Stephen was in person, attacked it on every side, with all the alacrity that a certain expectation of victory could inspire. Yet, as all those of whom it was composed were veteran soldiers, and animated by the presence and example of their king, they did the utmost, that, in such circumstances, courage and discipline could perform, facing about every way, and maintaining the closeness of their order unbroken, though (to use the expression of an historian who lived in those times) *they were invested and besieged like a castle.*

V. Huntingd.
ut suprâ.

The form of the battle now bore a great resemblance to that of Hastings. The king's phalanx, like that of Harold, was assaulted at once by horse and foot, but remained invincible for some time; till the earl of Chester dismounting, and ordering all his cavalry likewise to dismount, broke in, by the weight and strength of those heavy-armed troops, and pressed hard upon the king, who bravely defended himself in the midst of his enemies, and struck the earl such a blow upon the crest of his helmet, that he overthrew him to the ground deprived of his senses. Nor would he, though all about him were slain or made prisoners, turn his back or cease from fighting, till, with the number and violence of his strokes, his battle-axe broke in his hands, and after that his sword also: upon which William de Kahames, a knight of great strength, seizing him by the crest of his helmet, and more coming up to assist in taking him, he was forced to yield himself prisoner; but to no other than his cousin, the earl of Gloucester, would he deign, even in that extremity, to surrender. Some

V. Hagustald. p. 224.

V. Hen. de Huntingdon, f. 224.
Gervase et Hoveden, sub ann. 1141.

Malmesbury.
Gervase.

contemporary writers add, that, before he was taken, he had been wounded in the head and knock-

knocked down by a stone. Certain it is that greater personal valour never was shewn in any action, than by him on that day : but as a commander he may be blameable, for not having charged the forces of the enemy while they were passing the ford ; and for giving them time, when they had passed it, to form, without molestation. He also seems to have erred in leaving the cavalry posted on his flank too weak in numbers to contend with that of the empress, by having dismounted so many of his best horsemen, in order 'to strengthen his body of infantry ; not well considering, that the defeat of his wings would inevitably occasion that of his center. The precedent set him at Cuten-moor was improperly followed ; because, as the Scotch had few horsemen, it might not there be so necessary to oppose any to them : but, as the earl of Gloucester was strong in cavalry, Stephen should have kept his, which at first was superior, equal at least to the earl's : especially being to engage on an open plain. It must however be owned, that both his wings behaved so ill, as to give us sufficient reason to impute their defeat rather to their fear than their weakness. Yet they consisted of men renowned for courage ; which made some of the contemporary writers suppose, that their flight was occasioned by treachery. But, as after this time they continued to serve the king faithfully, it may be better accounted for by those sudden errors, which sometimes seize even the best troops, when they are greatly out numbered. Certainly nothing contributed more to the gaining of the battle, than the good disposition made by the earl of Gloucester, especially in his placing of the auxiliary Welch ; and the prudent conduct of those who led his wings, in restraining their soldiers from pursuing the horse they had beaten, till they had completed the victory by the entire defeat of the enemy's foot.

Stephen

A. D. 1147.
Malmsh.
hist. nov.
f. 106.

Stephen was now in the custody of that earl, who treated him with the greatest humanity, forbidding all persons to reproach or insult him under the change of his fortune, and paying him the respect that was due to his dignity and royal blood. He presented him first to the Empress in the city of Gloucester, and then removed him to Bristol, where he kept him in a safe but gentle confinement.

Malmsh.
hist. nov. f.
106, 107.
H. de Hun-
tingd. f. 225.
Gest. Reg.
Steph. l. i.
p. 953 ad
958. Gerv.
Chron. sub
ann. 1141.

This event seemed to decide the fate of the kingdom. The bishop of Winchester now resolved to throw off the mask, and declare for Matilda; but not without such conditions as he judged necessary to secure his own interest, which was indeed the sole principle that ruled his conduct. That princess permitted him to make his own terms, knowing of what importance his friendship was to her at this critical time, and meaning, perhaps, to keep her faith with him afterwards, no better than he himself had kept his with her, and with his own brother. All being previously settled between them, they met in an open plain, near the city of Winchester, on the second of March, in the year eleven hundred and forty one, where, in a numerous assembly of barons, of bishops, of clergy, and people, she publicly swore to him, *that he should have the direction of all the great affairs of the kingdom, and particularly the disposal of abbeys and bishopricks, if he and the church would consent to receive her as a queen, and would preserve their fidelity to her inviolate.* Her brother the earl of Gloucester, and the chief lords of her party, made themselves sureties for her, that she should perform the covenant of this oath, and took one themselves to the same purpose. The bishop in return, received her as queen, and together with some of his friends, who were pledges for him, swore to be faithful to her *as long as she kept her part of the compact.*

Thus

Thus did this prelate, with the most unexampled and amazing assurance, openly stipulate, in the face of the world, the conditions of advantage and power to himself, upon which he was willing to concur in dethroning his unfortunate brother. The next day Matilda was put into possession of the royal castle at Winchester, where the sceptre and crown, with all that remained of the king's treasure, were kept. She seemed much delighted to see herself mistress of the ensigns of royalty, so long usurped by another, and caused herself to be instantly proclaimed queen of England in the market place of the town : after which she proceeded in a solemn procession to the cathedral ; the bishop of Winchester, as the legate of the pope, leading her by the right hand, and the bishop of St. David's, as primate of Wales, by the left. She was also attended by many temporal barons, and by the bishops of Hereford, Lincoln, Ely, and Bath, with several abbots. When divine service was over, the legate, from the pulpit, cursed all her enemies, and blessed all her friends. He then by his letters invited Theobald archbishop of Canterbury, and all the other absent bishops, to come and do their homage to her at Wilton : which place she removed to, as soon as the ceremonies of her reception at Winchester were all performed : but that prelate, who owed his see to the favour of the king, and who never had taken any oaths to Matilda, had, or pretended to have, a scruple of conscience, about obeying those summons, without being set free from his obligations to Stephen by the express consent of that prince himself. Whereupon he and his brethren, with some of the temporal barons, who also thought it decent to act the same part, were allowed to speak with the king ; from whom they obtained the permission which they asked, and which they were well assured he durst not deny. Matilda, having received their

Gest. Stephen. Reg.
p. 954.
Malmsh. ut
supra.

Vid. auctores citat. ut
supra.

fealty

fealty and homage, removed from Wilton to Reading; where several of the nobility came to attend her and make their submissions; particularly Robert d'Oili, governor of the castle of Oxford; which he having consented to deliver up to her, she went to that city, and kept the Easter festival there in royal state.

V. Malmsh.
hist. nov. f.
106, 107.

Presently after that time, the bishop of Winchester summoned all the prelates and clergy of England, to meet him at Winchester, in a council or synod assembled there by virtue of his legatine power. The greater part of them came, and those who did not come sent letters to assign the cause of their absence. The legate presided, notwithstanding the presence of the archbishop of Canterbury, and having ordered the letters to be read did no other business in the council that day; but taking the bishops apart he conferred with them in secret, and then with the abbots, and lastly with the archdeacons. The next day he addressed himself to the whole assembly, and said, that by the authority which he had been honoured with from the pope, whose representative he was in this kingdom, he had called them together, to consult with them about the peace of their country, which was in great danger of total ruin. He recalled to their remembrance the prosperous reign of his uncle, King Henry, upon which he enlarged, with many and high encomiums. Then he reminded them of the settlement made by that king on his daughter, and of the repeated oaths taken to her during his life; the breach of which he excused by the delay of Matilda, who did not immediately come over to England upon the death of her father, and by the necessity of providing for the peace of the kingdom, on which account, he said, his brother *was permitted to reign*: But although he himself had been surety for that prince, and in the most solemn manner had pledged his faith

faith, that he should honour and exalt the holy church, maintain good laws, and abrogate bad, he must with grief put them in mind how ill he had governed : that, in the very beginning of his reign, the peace of his kingdom had been wholly destroyed ; after that time no justice done ; bishops imprisoned, and violently compelled to give up their possessions ; abbeyes sold ; churches plundered ; the counsels of wicked men heard, those of the good disregarded. “ You know (said he) how
“ often, as well by myself, as by my brethren the
“ bishops, I have applied to the king for a redress
“ of these grievances ; especially in the council
“ called by me last year ; and got nothing by it
“ but hatred. Nor can any thinking man doubt,
“ that my affection to my brother, how tender
“ soever, ought to give place to that which I owe
“ to the service of my heavenly father. Since
“ therefore Almighty God has been pleased to in-
“ flict such a judgment upon him, as to permit
“ him to fall into the hands of his enemies, while
“ I was a stranger both to his counsels and actions,
“ lest the state should be overturned for want of a
“ ruler, I have by virtue of my legatine power,
“ invited you all to this assembly. The matter
“ was yesterday considered in private by the greater part of the English clergy, *to whom the*
“ *privilege of electing and ordaining a sovereign more*
“ *particularly belongs.* Having therefore first invoked (as our duty requires) the assistance of
“ God, *we do elect to rule over both England and*
“ *Normandy Matilda the daughter of our late king,*
“ a king who loved peace and procured it for his
“ people ; a king, in glory, wealth, and goodness,
“ excelling all others who have lived in our
“ times : and we promise to keep inviolate our
“ fidelity to her, and to support her against all her
“ opponents.”

Such

Malsb.
at supra.

Such was the speech of the bishop of Winchester on this extraordinary occasion, as delivered down to us by William of Malsbury, who says, that he was present himself in the council, and very exactly remembered the substance of all that passed there. The whole assembly having expressed their assent, by their acclamations, or at least by their silence, to what that prelate had said, he added these words: "The citizens of London, *who on account of the greatness of their city are considered as nobles in England*, have been summoned by our messengers, and have received a safe conduct from us; nor do I doubt that they will be here to morrow. Let us wait for them, if you please." The next day, certain deputies from that city arrived, and said, "They were sent from *the community of London*, not to contend, or debate, but to pray in their name, that their lord, the king, might be set free: which not only they, but likewise *all those barons, who had long ago been admitted into their body*, most earnestly begged of the legate and council." Whence it arose that some *barons* had been incorporated into the city of London, will be explained in another place. The legate made a copious reply to the deputies, repeating what he had said the day before, and adding, that it did not become the citizens of London, *who were reputed among the chief men of the kingdom, and as of the nobility*, to take part with those who in battle had deserted their lord, to whose advice it was owing that he had dishonoured the church, and who seemed to favour the Londoners for no other reason, but to draw as much of their money from them as they possibly could. Then stood up a priest, who was chaplain to Stephen's queen, and delivered to the legate a letter from that princess, which having looked over, he said, it was not fit to be read: for that, besides many improper and blameable

blameable matters which were contained in it, one of the witnesses, who had set his name to it, had, in that chamber itself, a twelvemonth before, spoken very disrespectfully of the bishops. He then returned it to the chaplain, who read it himself to the council, notwithstanding the opposition made by the legate : an admirable instance of spirit and resolution, which so affected the council, that all the authority of that imperious prelate could not prevent them from hearing it with a decent attention ! The substance of it was, that the queen implored the whole clergy there assembled, and more particularly the bishop of Winchester, her husband's own brother, to restore to his kingdom that monarch, their liege lord, whom wicked men, who are bound to him by homage and fealty, had thrown into prison. To this the legate replied with all the same arguments, that he had used to the deputies of the city of London, who, after some consultation among themselves, declared, " they would communicate the decree " of the council to their fellow-citizens, and influence them in favour of it, as far as they " could." The legate concluded the acts of this assembly by a general sentence of excommunication against all the adherents of the king, and, particularly, against William Martel, who had more than any others incurred his displeasure, by having intercepted and plundered his baggage.

Thus did a bishop of Winchester, acting as a minister of the pope, and the English clergy under him, assume a power to dispose of the kingdom of England, and of the duchy of Normandy, by what they called an *election*, without the consent, or participation, of the temporal barons or people of either country, having only summoned the deputies of the city of London to their council. The whole proceeding was without a precedent ; nor has any thing like it been done in
later

later times. But the bigotry of that age produced such monstrous acts, as the reason of the present can hardly believe.

Vid. aucto-
res citat. ut
suprà.

The clergy having so unanimously declared for Matilda, almost all England was drawn by their influence, and by the fear which the defeat and captivity of the king had brought on his party, to think likewise of submitting to her, except the single county of Kent, which the queen maintained for her husband, with the assistance of his favourite, William of Ipres. That general, immediately after the battle of Lincoln, retired thither with most of the mercenary troops, encouraged the people of that county, who had been always well affected to Stephen, and drew to his standard all the bravest of that prince's friends, who daily came in from every part of the kingdom ; some of them hoping to serve their unfortunate master, and others to obtain better conditions for themselves, by remaining in arms. The city of London continued doubtful which sovereign they should own, but much more inclined to the king than to Matilda, for near two months ; at the end of which time, that princess having advanced as far as St. Albans, a body of the citizens waited on her there, and, after some treaty with her, consented to receive her within their walls. A few days before Midsummer she entered into that city, with a great train of spiritual and temporal lords, and with her uncle, the king of Scotland, who came to assist, as a feudatory, at her coronation. She then took up her residence at the palace of Westminster, built by William Rufus, and remained there some time, to order and compose the state of the kingdom. The earl of Gloucester served her well in this necessary work. He negociated with the barons of the opposite faction, allured the haughty by caresses and the mercenary by promises, was full of humanity, moderation, and

courte-

courtesy, in all his deportment. Nor did he merely employ fair appearances, or smooth words, to reconcile the inclinations of the people to that change which his sword had effected ; but in those parts of the country which had espoused his sister's cause, or submitted to her power, he tried to reform the administration of justice, and restore the good ancient laws ; being thoroughly sensible, that more stability would be given to government, by these acts of beneficence, than by force and fear, to which, he knew, the spirit of the people could not long be subjected. Had she been guided by his wisdom, the whole kingdom would soon have acknowledged her sovereignty, without further opposition : but all his endeavours were defeated by the perverseness of her conduct. The pride and haughtiness of her temper were so swelled by this sudden gale of prosperity, that they bore her far from the course which his prudence desired to make her steer. From the day, in which the king was delivered to her a prisoner, her looks, her mien, her language, were absolutely changed. She assumed an air so imperious, that one would have thought her another Semiramis, giving laws to a nation long accustomed to servitude, rather than a princess of England, making her way, through many obstacles, to the limited government of a free people, not sufficiently convinced of her right to their fealty. Her grandfather, William the Conqueror, was hardly more despotick at the end of his reign, than she at the beginning of a yet unassured and unsettled authority, even before the crown, so lately worn by her valiant antagonist, was placed on her head. Some of the party of Stephen, who came to offer their allegiance and services to her, she received with great coldness, others she drove from her presence with upbraidings and threats. All the grants made by that prince, even those to the church, she precipitately

*Vid. auctores citat. ut
suprà.*

revoked, to give them to her favourites. From those who had submitted to her she often took a part of their lands and possessions, as fines for their past conduct; and thus left them, at the best, but half reconciled to her, or rather secret enemies, who naturally felt more resentment for what they had lost, than gratitude for what they retained. But all the barons who, from a sense of honour or fidelity, delayed to abandon their late master, she wholly deprived of their honours and estates, and conferred them on others; thus rendering them implacable, and keeping up a head of opposition against her, which no time could remove. The citizens of London, whom she ought to have particularly courted, were treated with great severity: for she not only denied them the indulgence they asked, of being governed by the laws of King Edward the Confessor, but oppressed them by arbitrary and grievous exactions. They represented to her how much they had lost of that opulence they formerly had enjoyed, by the decay of their trade and other publick calamities attending the war, besides the high demands which the late government had often made upon them, and which they durst not refuse. They more especially pleaded the extraordinary expences they had lately sustained, in making provision for the relief of their poor, against an imminent danger of famine, which, they apprehended, was not yet entirely removed. And therefore they humbly implored her, in the most pathetic terms, to moderate her demand, or, at least, to grant them, out of compassion to their present, great distress, a longer time for the payment; promising her, that, when peace should be perfectly established, as their riches would encrease, so should also their zeal for the support of her government. But, before they had ended their remonstrance, with rage in her eyes, frowns on her brow, and such a disorder of passion; as equally

ly destroyed the majesty of the queen and the softness of the woman, she told them, that they had frequently and lavishly granted their money to Stephen, for his support, and to her detriment, having been long combined with her enemies, as she had felt to her cost; and therefore they must not expect that she would shew any lenity to them, or remit the least part of the sum she had demanded, So ill did she understand the art of converting subdued enemies into friends; which, so far as it can be done without alienating those by whose assistance they were subdued, is of all arts the most necessary in revolutions of government!

Nor was her behaviour more gracious even to her friends. When the bishop of Winchester and the earl of Gloucester were suitors to her for any of the king's party, she frequently rejected their intercessions with great rudeness, suffering them to kneel to her, without rising up: a pride, which, contrasted with the familiar and obliging behaviour of Stephen, appeared the more offensive and insupportable to a free people. In vain did her brother, to whom she owed her success, suggest to her right measures, and a conduct more agreeable to the state she was in, and to the temper of the nation. Neither his counsels nor those of the king of Scotland, her uncle, could prevail against the dictates of her impetuous passions, to which she now gave so absolute a sway, that she made little use even of her own understanding, which, in the former transactions of her life, had appeared to be much stronger and fitter for government, than could be imagined from her present behaviour. She was indeed quite intoxicated with her good fortune, and considered England as a conquered country, upon which she might trample at pleasure; forgetting that most of those by whom she had conquered had fought for freedom, and that even the vanquished party was not so dispirited, or

Vid. auctores
citat. ut
supra.

A. D. 1141.

reduced to such weakness, as that a galling and desperate resentment might not yet render them dangerous to her, especially if they were strengthened by a coalition with those whom interest only had made her friends. But while she was lulled in all the security of insolent folly, and intent upon nothing but her approaching coronation, for the ceremonies of which she now prepared, with all the impatience and pleasure of a woman who loved the pomp of royalty no less than the substance, there rose a sudden storm, which broke at once upon her head with great fury, and drove her away for ever from that throne, which she believed herself just upon the point of ascending.

Vid. auctores
citat. ut
supra.

There is no kind of tyranny that will so soon excite a revolt in a great trading city, as an oppressive taxation. The citizens of London exasperated at the burthens laid upon them by the empress, and at the harshness of the answer which she had returned to their petition for relief, began to cabal, and consult together, how to shake off a yoke so intolerable to them. While their minds were in this ferment, king Stephen's queen, a lady, whose virtues even his enemies honoured, had vainly endeavoured to procure for him his freedom, upon the hard conditions of resigning the crown, and going into a convent, or to the holy land, for the rest of his life; which the chief lords of his party engaged he should do, and offered Matilda to surrender their castles and give her many hostages, to secure to her the performance of this stipulation. Nothing but an implacable desire of revenge could hinder her from accepting such a proposal, under the obligations she had to the bishop of Winchester, and considering how much her kingdom would suffer by the public tranquillity not being restored. Nevertheless she rejected it with an air of disdain: whereupon the queen, who, with the gentleness becoming her sex, had a masculine courage, and knew

knew how to act, at proper seasons, both with vigour and prudence, commanded her forces to pass over the river, and lay waste the whole country under the walls of London : but at the same time, by her secret agents, she invited the citizens to confederate with her against this most arrogant and tyrannical government ; suggesting to them how easily they might, by a sudden and general insurrection, make themselves masters of the person of Matilda, and so redeem and restore the king. They, who now found themselves in equal danger of losing their fortunes, by the avarice of Matilda, and by the arms of the queen, determined to save them, by joining with the latter, whom they had always loved, against the former, who had inflamed their ancient dislike of her into a furious and implacable hatred. This resolution would have been executed, and Matilda, who thought that she had nothing to fear, because she saw the queen's troops employed in ravaging the lands of the citizens, would have been taken prisoner, in her palace of Westminster, by those very citizens, if she had not been opportunely apprised of her danger, by an intelligence sent to her from one of their body : upon which she immediately gave the alarm to her friends, and, with all possible silence and secrecy, drew them insensibly, by small parties, out of the city, before the conspirators there were ready to act : then mounting on horseback she retired in a military manner to Oxford, the nobles who attended her forming with their followers a strong body of cavalry, and marching together, in good order, till they got to a considerable distance from London. The citizens, who had hoped to surprize her unprepared, were quite disconcerted at finding that their plot was discovered ; inso-much, that they suffered her, and all who were with her, to escape unmolested, satisfying themselves with the plunder of the goods they had left behind.

Vid. auctores citat. ut supra.

Vid. M. T.
Ciceron. o-
ration. pro
lege Manilia.

V. auctores
citant. ut su-
pra.

behind. Probably, it was the too eager desire of that booty which chiefly stopped their pursuit; and Matilda got off from them, as Mithridates is said to have escaped from the Romans, by throwing gold and silver in their way. The king of Scotland, the earl of Gloucester, and the bishop of Winchester went with that princess to Oxford; but most of the other barons separated, and repaired to their several homes, before she got thither. Nor did she stay long in that city; but went to Gloucester, in order to confer with Milo Fitz-walter on the present state of affairs. After some deliberation, they returned together to Oxford, where she now determined to reside. This baron had adhered to her in all the changes of fortune, with the most steady fidelity, for which she now rewarded him with the earldom of Hereford. He likewise enjoyed a superior share of her favour and confidence: but was forced to preserve it by a more flattering complaisance, than her true interest and service required: for she would not endure any advice that contradicted her humour; and as he owed so much to her affection, and expected still more, he was content to be her minister upon her own terms; from whence it happened that his great abilities were of much less advantage to her than might have been expected.

The bishop of Winchester had been extremely disgusted for some time; and there is reason to think that the conspiracy at London was formed with his approbation: yet he kept on the mask a little longer; but in the mean while gave orders that the fortifications of his castle at Winchester should be repaired and augmented, with other precautions, that were necessary to put him in a better condition of openly quarrelling with Matilda. He then made a request to her, which, considering his power in the church and state, the danger of a breach with him, and the obligations she

she had to him in the eyes of the world, one should have supposed could not have been refused. What he asked was a grant of the earldoms of Mortagne and Boulogne, which Stephen had held before he gained the crown, to his nephew Eustace, that king's eldest son. And surely, if this great prelate could so far give way to reason of state, or rather to the passions and revenge of Matilda, as to acquiesce in her keeping the unfortunate father in prison for life, which she now seemed resolved to do, it was incumbent upon him, by all the obligations of nature and duty, to shew this regard at least to the innocent son, who had an unquestionable right to his care and protection. One of these earldoms, viz. that of Boulogne, was the inheritance of that prince's mother, and not in the power of the empress; so that the asking her for it was only a compliment, and that of Mortagne was a small boon in return for a crown. Nevertheless she refused it, perhaps from a jealousy she had conceived of the bishop: but however justly she may have suspected him, by denying him a favour so reasonable in itself she hurt her own cause, and gave him a fair pretence to break with her more decently, having the voice of the public on his side. After this he came no more to her court, though often invited, but had a meeting, at Guilford, with the queen, his sister in law; and there they concerted together all the measures which they thought necessary to procure the restoration of the king. He began by absolving those, whom he had before excommunicated for adhering to that prince, and, by his agents and emissaries, sent over the whole kingdom grievous complaints against the empress, affirming that she had treacherously formed a design to seize his person; had broken her oath given to him and all the other barons, and knew not how to use power with moderation. These accusations much affected the minds of the

V. auctores
cit. ut supra.

people, upon which compassion also worked very powerfully, at this time, in behalf of the king. For the empress, whose temper was naturally vindictive, being exasperated by the danger she had been in at London, and the great loss her party suffered from the revolt of that city, vented her rage on her royal captive, and laid him in irons, like a common malefactor, against the will of her brother, the earl of Gloucester, whom those who flattered her passions accused to her of treating him with too much indulgence. But this ignominious and barbarous usage of a prince, whose dignity she should have respected, even for the sake of her own, excited such a general indignation against her, as not a little assisted to turn again, on his side, the often varying stream of popular favour. The people of England have always been good-natured. Even the spirit of party has never had force enough to destroy the strong principle of humanity in them. When they were told, that their sovereign was loaded with irons, they forgot all his faults. His sufferings only, and the inhuman arrogance of Matilda, her arbitrary, violent, oppressive conduct, were now the general subjects of their thought and discourse. The present resentment, raised by these, overcame and obliterated, in the minds of the enemies of Stephen themselves, their former rancour against him; while, in his friends, it revived a warmer and more tender sense of all those endearing and amiable qualities, by which he had formerly recommended himself to the affection of the public. The bishop of Winchester, whose eyes were very quick, discerned this change in the temper of the nation, and saw that he should be in danger of losing all his credit, if he did not fall in with it and act for his brother; which, together, with the slights he had received from the empress, and dislike of her behaviour, made him resolve to undo all he had done for

for her service, and restore the king whom his perfidy had contributed to dethrone. But as he had not yet taken an open part, the earl of Gloucester, who knew how detrimental the loss of him would be to Matilda, thought it expedient to try all possible means to regain him to her party: with which intention he made him an amicable visit at Winchester; but, after having conferred with him, he found him determined, and returning to his sister confirmed her jealousy. Upon the report he had made to her, without consulting with him, or letting him into the secret of her design, she went on a sudden to Winchester, with all the force she had at Oxford, except what was necessary to be left there in garrison, hoping to surprize and seize the bishop. But just as she was entering at one gate of the city, he rode out at another, and escaped to his castle; which, by the description we have of it, seems to have been situated close to the walls, upon the bank of the river. It was a very strong fortress, well garrisoned, and stored with all necessaries to sustain a long siege, by the care of the bishop, who had prudently foreseen the need he might have of such a timely provision. His escape disconcerted the measures of the empress. Having failed in her intention of taking him by surprize, she sent a message inviting him to come to her court; but he was too prudent to be caught in that snare. Had she succeeded, it would have been a most rash and dangerous act, so far to violate the privileges of the church in the person of a legate, and draw upon herself, not only the enmity of all the English clergy, in whose affection the greatest strength of her party then lay, but also the formidable resentments of Rome. Her brother's discretion would never have permitted her to take such a step, and therefore she did not consult him; wilful and violent tempers being afraid

V. auctores
citāt. ut su-
pra.

afraid of sober advice, even from their best friends. As she had imprudently engaged in this enterprize, so she obstinately pursued it, and resolved to besiege the bishop in his castle; remaining herself in the royal palace of Winchester, which stood upon a hill, without the west-gate, and was then a very strong fortress; but lodging the greater part of her troops in the city, the inhabitants of which were generally inclined to her cause. The forces she had with her not being sufficient for so great an undertaking, she summoned her adherents from all parts of the kingdom. Many of those who had lately submitted to her forsook her now, and went over to Stephen, but among those that attended her on this expedition, or that came on her summons, were David king of Scotland, Robert earl of Gloucester, Reginald, another of her natural brothers, whom she had made earl of Cornwall, Baldwin de Redvers earl of Devonshire, Milo earl of Hereford, Roger earl of Warwick, William de Mohun, whom she there rewarded with the earldom of Dorset, Geoffry Boterel, brother to Alan earl of Richmond, and Brian Fitz-comte, lord of Walsingham and Abergavenny, who had a very particular share in her favour. The earl of Chester also came, but later than the others, and with very few followers; so that he did her no service, and was even suspected of an inclination to take part with her enemies: a most surprising change after all that had passed between the king and him! but he was a man of a light temper: and indeed these were times which produced very few instances of irreconcilable enmities or firm attachments. On the other side, the bishop of Winchester, seeing that the whole power of the empress was collected to make war upon him, called to his assistance all the friends of his brother, who came in such numbers, that they composed an

*Vid. antea
res citat. ut
supra.*

an army much stronger than Matilda's. All the earls in England, except those above-mentioned, attended his summons, with great troops of their vassals: nor were any of them more forward on this occasion than those who had served so ill at the battle of Lincoln: for they heard themselves continually reproached with the mischiefs their flight had caused, and eagerly sought an occasion of redeeming the honour they had lost on that day. The queen herself marched to Winchester, at the head of the Kentish militia, her constant friends, and of a thousand men at arms, drawn from the city of London, besides archers and pikemen. William of Ipres attended her, with most of the mercenaries, breathing revenge for the inhuman indignities imposed on their gracious and munificent prince, whom they now served, not for hire only, but out of affection; knowing that his favour to them had been his greatest offence to his people. Thus was the utmost strength of both parties assembled about the city and castle of Winchester, but with a great superiority on the side of the king. The plan formed by his generals was to prevent any provisions from coming to the town, and vanquish the empress by famine, or force her to a battle with very unequal numbers. Accordingly they made themselves masters of all the communications she had with the country, except one towards the west or north-west, which they could not shut up so closely as the others; but even on that side they rendered the passage of her supplies very difficult, by sending out parties of horse to scour the country, which often intercepted them, and frightened the people from any commerce or intercourse with her. Under these difficulties she still persevered in besieging the legate, who defended his castle with great spirit, and so little regard to his episcopal character, that, in order to revenge himself on the townsmen, who favoured Matilda,

*Vid. aucto-
res citat. ut
supra.*

Matilda, he commanded fireworks to be thrown from his tower, by which a great part of the city, the most magnificent then in England, and above twenty churches, or (as some authors say) forty, with a nunnery and an abbey, were burnt down to the ground. In the latter of these, which was called the abbey of Hyde and situated without the walls, there was a large cross, covered with plates of pure gold, and richly set with precious stones, the gift of king Canute. This having been damaged by the flames, the bishop very freely made use of the gold to pay his troops, and laid up the jewels with his own treasures. The miserable citizens suffered no less by famine than by fire; the few provisions which sometimes were brought into the town being all taken from them, for the support of the soldiers that were quartered among them; nor was there enough to supply these with the necessaries of life: so that the earl of Gloucester, apprehending the ruin of his army, resolved to erect a fort near the nunnery of Warewell, upon the river Test, which might facilitate and secure the importation of victuals into the city on that side. Some chosen troops were sent to execute this resolution: but William of Ipres fell upon them with a much greater force; and many of them having been killed or taken, the rest got into the church of the nunnery, and endeavoured to defend themselves there: upon which the king's general ordered it to be fired, and thus destroyed, or took prisoners, all who were in it, thinking that the example of the bishop of Winchester was authority enough to justify him, a layman and a soldier, in the little regard he shewed for the sanctity of the place. This was a very terrible blow to Matilda. She saw her army in great danger of being starved, and feared she soon might be reduced to the cruel necessity of yielding herself a prisoner to the wife of that king whom she then held

Vid. sources citat. ut supra.

held in irons; a misfortune which she thought more dreadful than death. In such desperate circumstances the boldest counsels were prudent. The bishop having proclaimed a cessation of arms on the eve of Holy-Rood day, after sunset, according to the custom then observed in the whole Latin church, the earl of Gloucester took that opportunity to endeavour to retire from this fatal situation. But not thinking that he could prudently depend on the enemy's observing the truce, he made such dispositions as, he hoped, would in any event secure the escape of the empress. Having committed her to the care of his brother, the earl of Cornwall, he sent her out of the town, in the van of his army together with her uncle, the king of Scotland, and most of those friends whose preservation he thought of the greatest importance, ordering them to march about break of day, with all the expedition they could, towards Gloucester, by the way of Ludgershall and the Devises; while he himself, to cover their retreat, followed more slowly, with a rear guard composed of some of the bravest nobility, and of a few chosen troops, which, he believed, would stand by him, against any odds of numbers. It was happy for Matilda and all with her that he took these necessary precautions. The bishop of Winchester was not so scrupulous, as to suffer his enemies to escape without molestation, out of respect to a holy-day; but the moment he got intelligence of their march sent his garrison to pursue them, spreading also the alarm through all the queen's army, which was posted on the other side of the town and in some places near adjacent. They soon joined his forces, and came up with the earl of Gloucester at Stockbridge upon the river Test. That lord made a stand against them at the head of the bridge; but, after a long and brave defence, in which Geoffry Boterel distinguished himself beyond all the other knights, the pass was forced

Vid. auctores citat. ut supra.

A. D. 1141.

Vid. auctores citat. ut supra.

forced, the rear guard defeated, and their general taken prisoner by William of Ipres.

Thus did the earl of Gloucester most generously sacrifice himself to the safety of his sister and sovereign, though she had brought the danger upon herself by her wilful imprudence in acting without his advice. Having retarded the enemy in their pursuit, he enabled her and the main body of his army to escape without any damage, except the shame of having been constrained to make a retreat which rather deserved to be called a flight. The empress came unmolested by the enemy to the castle of Ludgershall; but left it in a few hours, and went on horseback, as fast as her strength would permit, to the Devises; from whence (if some historians of no small authority may be credited) she was carried to Gloucester on a bier, as a dead corpse: but, as William of Malm-bury, and the anonymous author of the acts of King Stephen, who would hardly have omitted to mention this circumstance, had it been true, say nothing of it, I think it a fable grounded only on popular rumours, which always add something to every extraordinary and surprising event. It was also a current report, that the king of Scotland was thrice taken prisoner in his flight, and redeemed by some of his friends; his person not being known to the soldiers who took him. A contemporary author relates, that one David Holiford, a godson of that king, who happened to serve at this time in the army of the queen, helped greatly to conceal him from their pursuit. Certain it is, that he made his escape with much difficulty, and so did the empress. Besides the disgrace she suffered, her brother's captivity was such a misfortune to her, as made her almost insensible to the joy of her own preservation. But he himself bore it with the most unshaken fortitude; no action, no word, not even a look, discovering the least dejection of spirit:

Vid. aucto-
res citat. ut
supra.

spirit : infomuch that his very enemies were compelled to revere and extol his virtue, which could with such dignity maintain its superiority over all the power and malice of fortune. The queen, who knew that the ill usage of her husband had been contrary to his advice and desire, would not revenge it upon him by chains or any other severities ; but treated him kindly ; and made him a proposal, by some principal lords of her party, to set him free, in exchange for Stephen. He replied, that such an exchange would not be equal ; the disproportion between a king and an earl being too great : but if they would agree that all his friends whom they had made prisoners, in which number were several barons of distinction, should be freed, together with him, in exchange for the king, he would give his consent to it. The queen, who desired the liberty of her husband almost upon any conditions, would have willingly hearkened to this offer : but William of Ipres, and some other nobles, who expected great ransoms for the prisoners they had taken, opposed it warmly, and obliged her to reject it. She then tried to persuade the earl of Gloucester to forsake the cause of his sister and join with Stephen, offering him in the name of her husband, and by orders from him, the supreme administration of all his affairs, and the second place in his kingdom. The answer he made to her was, “ I am not in my own power “ at present. When I am free to dispose of myself, I promise you that I will act in this respect, “ as reason shall dictate.” Which she rightly understanding to be a refusal, and being angry at his slight of so gracious an offer, made at a time when his sister’s fortune was much declined, altered her language, and threatened to send him to Boulogne, and keep him there in chains all his life. To this he replied, with a countenance unchanged and

Malmsh.
hist. nov. l.
ii. f. 109.

and serene, "that he feared nothing less." The menace indeed was thrown out only with an intention to fright him, if he could have been frightened : for the queen durst not execute it, knowing that the countess of Gloucester would not fail to take her revenge, by sending the king, whom she now had in her custody, over to Ireland, the chief monarch of which would willingly have shewn his regard for the memory of king Henry, with whom he had contracted a league of friendship, by keeping Stephen a prisoner in that kingdom, and in whatever manner the friends of the earl had desired. As no advantages gained by the queen in England could hinder the countess from putting this in execution, her husband, whose mind in every situation saw every resource that was in his power, assumed from hence a more steady confidence, and acted in his prison with as much intrepidity as at the head of his army. But when more than a month had been unsuccessfully spent in these negotiations, Matilda and all the principal lords of her party advised and entreated him to accept the proposal the queen had made, and suffer himself to be singly exchanged for the king ; a most extraordinary proof of his merit ! there being no other example in history of a captive king having been set free in exchange for a subject. The earl, who himself could not be insensible of how great importance his liberty was to the party, yielded at length to the importunities of his friends ; and his consent was very gladly received by the queen : but all the king's friends insisting, that, out of respect to his dignity, he should first be released, some difficulty arose from the apprehensions of the earl, that they might break their faith with him, and detain him in prison : a suspicion which certainly was very well founded on the past conduct of Stephen, who never had seemed to regard either his

word

word or his oath. Many precautions and sureties were necessary to remove this objection. The earl was not satisfied with exacting an oath from the legate and the archbishop of Canterbury, that they would yield themselves prisoners into the hands of his friends, if he was not set at liberty immediately after the release of the king; but obtained from them letters under their hands and seals, by which they notified this oath to the pope, and, if the case should happen, implored his assistance, to deliver both the earl and them from their bonds. Nor was even this esteemed a sufficient security: but either he, or some of his friends who negotiated for him, demanded that the queen and one of her sons, with two principal lords of that party, should be kept in the castle of Bristol as hostages, from the time of the king's being dismissed from thence, till the earl was released: which they likewise agreeing to, Stephen was set free, on the feast of all Saints, in the year eleven hundred and forty one, after a captivity of nine months.

Malmsh.
ibidem.

A. D. 1141.

He came from Bristol to Winchester, where he had a conference with the earl of Gloucester, who had been removed from the castle of Rochester to that city, a little before. There he again endeavoured to corrupt the fidelity of the earl, and draw him to his party, by the most splendid offers of favour and power under his government. But that nobleman remained unmoved by all these allurements, urging the ties of nature and affection which attached him to his sister, the obligations of honour, and the oaths he had taken during the life of his father, which the pope himself had declared to be binding. He said, it was purely his regard to those oaths, not any interested views of his own or hatred against Stephen, that had induced him to take up arms in the cause of Matilda; and gently reminded the king himself and his friends, that they had likewise engaged themselves to her

by the same sacred ties, and were therefore no less concerned than he in the decision sent from the pope with regard to the validity of that engagement. Having thus nobly maintained the reputation of integrity which he had acquired, he took leave of the king, and upon his arrival at Bristol set free the queen, the young prince, and the peers, who were detained there till he came; and in return received his son, whom he had left behind him at Winchester, as a hostage for their release.

A. D. 1141.

Malmsh. ut
supra.

The two parties having now recovered their chiefs, and not seeing any prospect of an agreement, they both prepared to renew the war with fresh vigour as soon as the season would permit. But before they could take the field, the bishop of Winchester began operations of a different kind, which were of the greatest advantage to his brother. He summoned a legatine synod at Westminster, on the seventh of December, in the year eleven hundred and forty one, which he opened by reading a letter from the pope, wherein his Holiness reprimanded him gently, for having acquiesced in his brother's imprisonment; and, to atone for that fault, enjoined him to endeavour the procuring of his liberty by any means, either ecclesiastical or secular, which the necessity of the affair might require. This not only was sufficient to destroy the impression, which the earl of Gloucester's alledging the authority of the pope in defence of his conduct, and the legate's own behaviour, had made on the clergy and people of England, but gave that prelate a pretence to justify his return to the party of his brother, by the respect he owed to the injunctions of Rome. He employed all his eloquence to excuse his former proceedings, affirming, that not from inclination but necessity he had received and acknowledged the empress, when, af-
ter

ter the battle of Lincoln, she came with her victorious army to Winchester, and found him there unable to make any resistance ; all the nobility having abandoned the captive king, or remaining unactive and indifferent between the two parties, till the event should regulate their conduct. He said, that she had afterwards notoriously violated all her engagements in behalf of the liberty and rights of the church, which had been the terms of agreement between her and him ; and moreover (as he was assured by undoubted intelligence) had formed secret machinations with some of her friends against his dignity and even his life ; which yet the divine mercy had so over-ruled, that in the issue he not only had escaped destruction himself, but also had delivered his brother from bonds. Therefore, in the name of God and of the pope, he commanded them to aid, support, and maintain, with their whole strength, that prince who had been *by the election of the people and with the consent of the apostolical see* anointed their king ; and to excommunicate all those disturbers of the peace of their country who should continue to adhere to the *countess of Anjou*.

Malmsh. &
supra.

Not one of the clergy there assembled made any reply to this speech, or shewed any publick mark of dissenting from it : so great an alteration had Matilda's offensive behaviour, in the short time between this and the council of Winchester, produced in their minds ; or so implicit was the submission which they paid to the legate, and to the papal authority, with which he was invested ! But there was in the assembly a layman sent by that princess, who loudly and boldly reminded him of the fidelity which he had sworn to her, adjuring him by it not to do any thing against her honour. Nor did he stop there ; but said that her having come over to England was owing to repeated invitations by letters sent from that prelate ; and that his brother's

Matth. ut
supra.

ther's captivity and detention in prison were to be chiefly imputed to his connivance, as he had expressly assured Matilda that he would not give him any effectual assistance. Other severe and rough animadversions were thrown out upon his past and present conduct; all which it was certainly very mortifying and uneasy to him to hear, but which he heard with such a perfect command of his temper, as not to return one angry word, or even to take any notice of what had been said, thinking, no doubt, that it was safer for him to seem to despise than attempt to confute it. When this extraordinary scene was past, the king himself came into the council, and made his complaints to them most pathetically, that his own vassals had taken him prisoner, and by the opprobrious indignity with which he was treated had very near killed him, though he never had done them any wrong, nor denied justice to any man in the whole course of his reign. His presence and words greatly affected the synod, and, together with the influence of the legate, made them unanimously concur in all propositions to which that prelate demanded their assent. Stephen, having thus regained the good-will of the clergy, seemed to be now in a fair way of recovering his kingdom. But neither party thought it proper to take the field during the winter, or to violate the religious cessation of arms, which it was usual to grant from the beginning of Lent till the end of Easter week. The king employed some part of that time in visiting the more distant counties of England, that were under his government, and wanted his presence: while Matilda, who was sensible how much she had lost both of reputation and strength, took that opportunity to assemble her principal friends, in order to consider with them what means could be found, to resist the power of her enemy, which daily grew stronger, and to raise the dejected hopes of her party.

party. They all agreed, that, in their present circumstances, it was necessary to try to bring over her husband, the earl of Anjou, to England; as the only expedient that could balance the advantages Stephen had gained. Pursuant to this resolution, some nobles of her faction were sent to the earl, whom they found in Normandy; the greater part of that dutchy being then subjected to him. They used their utmost endeavours to prevail upon him to come from thence into England, and defend the inheritance of his wife and son, which, without his assistance, was now in the utmost danger of being soon irrecoverably lost. He received them with regard, but said, that he would make no positive answer, unless to the earl of Gloucester, as the person in whom he most confided, and with whom alone he desired to treat on this business. It happened fortunately for Matilda, that, soon after Easter, Stephen was seized with a dangerous fit of sickness, and did not recover till some time after Whitsuntide; which hindered that prince from beginning any military operations against her, and gave her leisure to wait for the return of the lords whom she had sent to her husband. They made their report to her on the thirteenth of June, at the castle of the Devises, where she had again assembled her council. The earl of Gloucester was very unwilling to go out of the kingdom, urging against it the danger of passing the channel, which was then guarded by a squadron of the king's ships, and of leaving his sister deprived of his care and assistance, at a time when they were more necessary to her than ever. But being earnestly pressed to go, he consented to it at last, on these conditions, that the chief nobles present there should deliver to him some of their nearest relations, to carry over with him, as hostages for their fidelity in serving his sister, and defending her person, during his absence. Such an extraordinary

Malmsh. ut
supra.

caution implied a great suspicion, and is a strong evidence that her party was then in danger of being dissolved. The council however agreed, and without any apparent unwillingness, to the security required by the earl, who taking the hostages set sail from Wareham, of which town he was lord, with several ships, and soon after Midsummer gained the port with only two ; the others having been dispersed by a violent storm, which saved them all from the greater danger of being attacked in their passage by the enemy's fleet. But before I relate the success he met with in this negotiation, it will be necessary to give an account of the state of the dutchy of Normandy from the decease of King Henry to this time.

It seems surprising, that neither the oaths, which the Normans had taken, during the life of that prince, to his daughter's succession, and after her to her son's, nor the influence of the earl of Gloucester, who at the time of his father's death was present among them, could secure to Matilda the inheritance of that dutchy, or even form any considerable party for her there. This is the more wonderful, as we are told by the best of the Norman historians, that no less a sum than sixty thousand pounds, equivalent to nine hundred thousand of our money now, was disposed of by the earl, as executor to the king, from his treasure at Falaise, among his soldiers and servants in that country. So bounteous a donative was enough to have purchased the dutchy for his daughter, though she had not been acknowledged as the heiress of it before. Yet the same author informs us, that immediately afterwards, Thibaud earl of Blois, the elder brother of Stephen, offering himself to the Normans, they were generally disposed to make him their duke : but as soon as they were informed of Stephen's election to the kingdom of England, they told the earl, *that, on account of the baronies which*

many

many among them held in both countries, they and the English must serve the same master : the truth of which maxim he either could not deny, or would not contest, but left them to take their own party. It does not appear that any mention was then made of Matilda, or of her husband. Yet the empress was soon afterwards, by the means of one of her friends, a man of low birth, but very considerable in talents and credit, admitted into some towns, of which he had been made viscount by the favour of her father. The earl of Anjou was also received by the earl of Ponthieu into some places of which that nobleman was the lord, and from thence endeavoured to extend himself further : but his army committing intolerable outrages even against their own friends, the Normans, whose natural temper was not patient of injuries, presently drove him out ; and a rebellion in Anjou hindered him, for some time, from any further attempts. After his expulsion from Normandy, that dutchy was left without any government, though it had nominally submitted to Stephen : for that prince was not able to visit, or take any care of it, till the year eleven hundred and thirty seven ; during which interval the whole country was desolated by several factions of the nobles, who, with great animosity and miserable ravages of each other's estates, prosecuted their own quarrels under the pretence of serving their party. Among these the most powerful was Waleran earl of Meulant ; whom Stephen had betrothed to one of his daughters, a child of two years old, and, while he himself was in England, put him at the head of his friends and forces in Normandy. About the latter end of September, in the year eleven hundred and thirty six, the earl of Anjou a second time invaded that dutchy, with much greater forces than before, being now accompanied by the duke of Aquitaine, and other princes and nobles of France. They

Ord. Vit.
l. xiii. p.
905, 906,
907, 908.

took some castles ; but having set down before Monstrueil were soon obliged to raise the siege with disgrace : and when they had afterwards invested Lisieux, the garrison of that city, despairing to save it, rather than they would surrender it to them, set it on fire : so great was the aversion of the Normans in general to the Angevin government, from the strong impressions which the remembrance of the long wars between the two countries had still left in their minds ! and this was much sharpened by the very barbarous manner in which the confederate army acted : for numbers of them being volunteers and irregular forces, out of many different provinces, they could not easily be restrained, by the power of their chiefs, from rapine, sacrilege, and other enormities ; which, added to the outrages that had been committed by the Angevin troops, during their late abode in Normandy, excited a violent indignation against them, and totally alienated the hearts of the people from Matilda and her husband. They were, besides, so intemperate, that they soon became very sickly : and, to complete their disasters, the earl of Anjou himself, besieging a castle, received a dangerous wound in one of his feet ; which, together with a flux that raged in his army, so sunk their spirits, that, although a powerful reinforcement of some thousand men, conducted by the empress, arrived that night, they raised the siege the next morning, and retired hastily out of Normandy, plundering the country through which they passed, without distinction of friends from foes. The Norman troops, who were apprised how much the earl had been strengthened the evening before, had no suspicion of his retiring, and did not begin to pursue him, till he had advanced a good way : so that the loss which he sustained in repassing the Sart was not very considerable : but as he travelled through a forest within his own territories he was attacked

attacked by a strong party of out-lawed free-booters, and narrowly escaped with his life, his wardrobe and plate being taken, and one of the gentlemen of his bed-chamber killed. The earl of Meulant likewise defeated some of Matilda's adherents, who had made an incursion into the county of Eu, and, and took prisoner their general, Roger de Conchis, with two other noblemen of great distinction.

All these successes, joined to the prosperity of Stephen in England during the course of this year, confirmed to that prince the dominion of Normandy, which he at last found time to visit, arriving there with William of Ipres and a body of Flemings, early in the spring of the year eleven hundred and thirty seven. After some stay in the chief cities he went to confer with Louis le Gros, renewed the alliance which his predecessor had made between the two crowns, and received the investiture of the dutchy, under the usual form of homage to France. Louis, being old and very infirm, was inclined to consider possession as the best right, and had good reasons of policy, as king of France, not to be willing that Anjou and Normandy should be under one vassal. It may be also presumed that he was biassed in favour of Stephen by the mediation of the earl of Blois; who, having given up his own claim to the dutchy, employed, in behalf of his brother, all the influence he had over that prince, who equally feared and esteemed him. Yet, though the consent of the sovereign had thus been obtained to invest the king of England with this great fief, the earl of Anjou did not depart from the pretensions he had to it in right of his wife: but Stephen sent against him a body of his mercenaries under William of Ipres, to which he joined some Norman troops, remaining himself on the other side of the Seine, where he was employed in reducing the castles and towns of

Ord. Vital.
l. xiii. p.
909, 910.
sub. ann.
1136, 1137.

Ord. Vit. ut
supra.

of one of his barons, who had taken up arms for Matilda. William of Ipres desired to give battle to the earl ; but the Normans who were with him opposed that advice, and even refused their assistance : upon which he and his forces repassed the Seine, and with heavy complaints against them, returned to the king. The cause of this difference was a jealousy conceived by the Normans against these foreign mercenaries, whom they justly suspected as instruments of arbitrary power, and could not bear to see employed, both in England and Normandy, preferably to the national troops of those countries. Indeed it was a very ungrateful return for the obligations Stephen had to the English and Normans, on whose affection he certainly might have relied at that time, and by whose arms he might have been much better secured against the Angevin party, than he could by this illegal and dangerous force, which seemed designed, not so much to resist the attacks of his enemies, as to overpower the liberties of his subjects. But instead of being warned and convinced of his error by the first symptoms of discontent, he argued from thence that these mercenaries were necessary to him, and placed a greater confidence in them and their general, as being the surest and firmest supports of his power. Nor did he dissemble these sentiments ; but treated the nobility of England and Normandy with an apparent distrust, while he lavished his favours upon William of Ipres, and made him his confident in all his most secret affairs. What was the effect of this behaviour in England has already been shewn. It had the same consequences in Normandy ; and it was there that the violence of the dissatisfaction arising from it, and the danger of it to Stephen, were first discovered. That prince, upon the return of William of Ipres, immediately put himself

self at the head of his army, and would have led them to fight the Angevins, as that earl had advised : but all the Norman barons, disgusted and irritated at being obliged to serve with the Flemings, appeared very backward, and endeavoured to dissuade the king from his enterprize : but he persisted in it against their advice, and marching to the enemy, the animosity between the Normans and Flemings broke out with so much fury, that they came even to blows ; and much blood was shed on both sides, before the tumult could be appeased by all the authority or intercessions of Stephen. Nor yet did the sedition end with the combat : for, presently afterwards, most of the young Norman barons led off their vassals, and left the king, who, equally agitated with anger and fear upon such a desertion, followed them several miles, and coming up with them, expostulated, threatened, entreated, and soothed, till in the conclusion they were pacified and reconciled to him : but so much uneasiness remained on both sides, that, instead of attacking the enemy, he accepted a truce of two years, which the Earl of Anjou proposed to him, from motives we are not informed of. Some reasons of weight must have determined the conduct of that earl in this affair, perhaps an intelligence of a conspiracy forming against him in Anjou, Touraine, or Maine : for it appears that these provinces were not absolutely free from intestine commotions : or he might seek a delay till the earl of Gloucester had taken all the necessary measures before he declared against Stephen. Without some motive of great importance so able a prince would not have proposed a cessation of arms, when the troops of his enemy were more incensed against one another than against him, and could not be brought into one camp, or made to act together in any joint operations.

Ord. Vit. ut
supra.

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Ord. Vital.
l. xiii. p. 111.
sub ann.
1137.
Suger. in vit.
Lud. Groffi.

This truce was concluded in the month of July of the year eleven hundred and thirty seven. On the first of August died at Paris Louis the Sixth, surnamed le Gros, from the largeness and corpulence of his person. A much nobler surname might have been properly given to him from the qualities of his mind: He deserved to have been called the Good, or the Just. His whole reign was passed in constant struggles with the insolence, the licentiousness, and the tyranny of his nobles, against whose oppressions he royally defended his people, maintaining his laws by his arms, and permitting no crimes to escape his justice. Thus far he much resembled our Henry the First: but in policy he was not always a match for that king. Yet he deserves no less esteem: for in goodness of heart he was greatly his superior, and had scarce any equal among the princes who reigned in his days. He lost his health, and at last his life, by the fatigues he sustained, in besieging castle after castle, where any flagitious or turbulent person had broken or endangered the peace of his realm.

Suger. in vit.
Lud. Groffi,
p. 319.

Abbot Suger, his principal minister, tells us, that he would often lament the unhappy condition of human life, in which to *know* much and *act* much is seldom or never in our power together; adding, that if he had *known* in his youth, what he *knew* in his age, or could *act* in his age with the same vigour as he did in his youth, he should have been able to conquer many kingdoms. Yet that historian affirms, that, even in the latter years of his reign, broken as he was with incessant toils, and heavy from a too corpulent habit of body, if any thing happened in any part of his kingdom, by which the royal majesty was hurt or offended, he never suffered it to go unchastised. His dying words to his son were admirable. *Remember*, said he, *and have it always before your eyes, that the royal authority is a publick charge, of which you must render*

render, after your death, a strict account. In the year eleven hundred and thirty one he had the misfortune to lose his eldest son Philip, a very hopeful youth; who, while he was riding in the suburbs of Paris, was thrown down and killed, by a hog running suddenly under the feet of his horse. The strangeness of the accident embittered the loss, and put the fortitude of the father to a terrible proof: but he bore it with the heroism of a good christian and a great king. His grief did not hinder him from immediately thinking of the most proper measures to guard his people and family against the ill consequences of this unhappy event. For, presently afterwards, Innocent the Second holding a general council at Rheims, the afflicted monarch brought thither Louis, his second son, who was under thirteen years old, and caused him, in the presence of all the assembly, to be anointed and crowned king together with himself, by the hands of the pope, *in order (says Suger) to prevent the disturbances which other competitors for the crown might excite:* remarkable words, which shew the reason of the practice established in France of crowning the son during the life of the father, and prove that a regular course of hereditary succession was not yet absolutely settled in that kingdom, any more than in England. This is also confirmed by another contemporary historian, who says, “That many both of the clergy and laity were displeased with this act: for some of the lay-peers had conceived hopes of a higher advancement after the death of Louis le Gros, and the ecclesiasticks desired to have an opportunity of exercising *the right of electing a king.* From which causes several among them murmured in secret against this measure, and would undoubtedly have been glad to prevent it, if it had been in their power.” He afterwards says, *That there were some who attempted to exclude all the issue of the king from the*

V. Suger. in
vita Ludov.
Groffii Re-
gis, p. 319.

V. Ord. Vit.
l. xiii. p.
895, 896.

the

the throne. I shall only observe, that if this account be well founded, the reason for it must probably have been the minority of the king's children; as no other objection could be made against them. But the young prince being thus crowned without any declared opposition, France was quiet for some time; and as soon as he came to an age of maturity, he gained more by a marriage, than all the greatest of his royal predecessors, since Charlemagne, had won by the sword. For William the Ninth, duke of Aquitaine, having died without issue male, in the spring of the year eleven hundred and thirty seven, bequeathed his dominions to Eleanor, his eldest daughter, who was then about thirteen years old, and declared, it was his desire, *if his barons agreed to it*, that she should be given in marriage to the young king of France: which being confirmed by their consent, the offer was made before the death of Louis le Gros. That prince and his son accepted it with joy, as they had great reason to do; for nothing could be more advantageous to France than uniting to the crown those extensive dominions, which at this time comprehended the two duchies of Gascony and Guienne, the earldom of Poictou, the province of Biscaye, and some other countries at the foot of the Pyrenean mountains. Eleanor herself was pleased with the match; for Louis was handsome; and she was by no means insensible either to love or ambition. Her face was agreeable, her person majestick, her wit lively and sharp, her temper gay and inclining to levity; which the genius of the French nation was more disposed to pardon than any other fault. All parties therefore concurring to approve of this marriage, it was celebrated at Bourdeaux, in the presence of most of the nobility of Aquitaine; Eleanor at the same time being crowned queen of France: after which Louis and she went together to Poitiers, where on the

Suger. p.
321. Ord.
Vital. p. 911.
h. xiii.

the eighth of August eleven hundred and thirty seven he received the coronet of the dukes of Guienne, and ordered the title of DVX AQUITANICVS to be engraved on his seal; it being understood that his marriage gave him the entire possession and government of all the states which belonged to his wife. Some lords of Xaintonge refused indeed to submit to him; but they were subdued by him, without difficulty, as he passed through their country, and forced to concur with the other barons of Aquitaine, in paying obedience to the testamentary settlement made by their duke. Thus did this young prince acquire these territories, the masters of which had vied, in power and wealth, with the kings of France, their sovereigns, and being descended from Childebrand, brother of Charles Martel, thought themselves equal, at least, in their genealogy, to the race of Hugh Capet. But his father had not the pleasure of seeing him after his marriage; the heat of the summer, which was more violent than had ever been known in those parts, and could hardly be endured by the strongest constitutions, having so impaired his weak health, that he died from the effects of it, in the sixtieth year of his age and the thirtieth of his reign, after extraordinary acts of contrition and penitence, which, not so much the faults of his life, as the tenderness of his conscience, and some superstition mixed with his piety, made him impose on himself. During the autumn that followed the decease of this king Normandy was disturbed by civil commotions, which the truce lately concluded between Stephen and Geoffry did not appease, though it enabled the former to settle his power more firmly there, than he could possibly have done without that advantage. Before the end of the year he was obliged to return into England, and leave his dutchy under the government of two Norman barons; one of whom, being soon after-

See Mabillon
de re diploma-
tica.

Ord. Vit.
l. xiii. p.
911. 910.

wards

wards drawn into an ambush by some nobles of the Angevin party, was slain ; but the other maintained his trust, with spirit and good conduct, till May the next year, when William of Ipres and the earl of Meulant, arriving with more forces, took the chief command and authority in those parts. It was a strange obstinacy in the king to persist in employing the former where he was so disagreeable : but it is the fate of weak princes to think that they are never so well served as by those, of whose authority their people complain the most, and to make the publick hatred a ground of their confidence ; as if such persons, having no other strength or protection to depend upon, must belong more to them, and be more devotedly attached to their interest. This, with the vanity of supporting the choice he had made, determined Stephen to continue his English and Norman affairs under the management of William of Ipres, though he had such evident proofs of the dissatisfaction it produced in both countries. The earl of Meulant indeed was less odious to the Normans, as not being a foreigner ; but neither was he much beloved, being a man who had more pride than greatness of mind, and more cunning than wisdom. The arrival of these ministers, whose unpopularity hurt their party as much as the force they brought over with them could do it good, did not prevent the earl of Gloucester from executing the plan, which he had for some time been forming. About the beginning of June he took up arms, and joined the earl of Anjou, who, regardless of the truce, which was not yet expired, came into Normandy, and by means of that nobleman's intelligence with him got possession of Bayeux, Caen, and several other towns : but the king's troops having been strengthened by a large reinforcement, he retired again into his own dominions, leaving the towns, which he had gained, well secured

secured with good garrisons, under the care of the earl of Gloucester. All the abilities of that lord were now employed in persuading the Norman nobility to follow his example in the part he had taken; and by his authority, added to the strong instigation of their own discontents, some of them were induced to forsake the king: but a majority adhered to him, either for fear of losing their English estates, or out of dislike to the Earl of Anjou, who, though he was a prince of great merit, had not found the art of gaining their affections. During the autumn of this year, the king being detained by the troubles in England, and his two generals recalled from Normandy to his assistance, Geoffry made other attempts on that dutchy, but failed in his enterprizes and returned home with some dishonour. Things remained there in much the same situation; both factions keeping possession of the towns they had got, from whence they infested the whole country; the barons making a cruel war on each other; and the people being equally ruined by all; till February in the year eleven hundred and forty, when a very important alteration was made, with relation to this dutchy, by Stephen and France. For the former, by means of the treasure which he had taken from the bishop of Salisbury, obtained of Louis le Jeune the princess Constantia, a sister of that king, and the investiture of Normandy with her, for his eldest son Eustace, desiring to make over to him his own title, in hopes that the French monarch would do more to support the claim of a brother-in-law, than Louis le Gros had done for him. He certainly might expect to draw great advantages from such an alliance, not only in Normandy, but in England; and might think he did not purchase it at too dear a rate, though, instead of the lady's bringing a portion to his son, he was forced to procure the match by a very large sum, which he could

Ord. Vit. sub
ann. 1138.

Gerv. Chron.
p. 1350.
H. Huntingd.
l. viii. f. 223.
Brompton
Chron.
p. 1027.

but ill afford, besides divesting himself of the dutchy. Nevertheless the king of France went no further than to mediate between him and Matilda, till the battle of Lincoln; nor even then did he give any effectual assistance to him or his son. Eustace, unaided by that prince, and not come to an age of maturity, could do nothing for himself; and the Normans considered his party as absolutely ruined by the defeat of his father. Yet so very unwilling were most of them to submit to Matilda, or to her husband, that, as soon as ever the news of Stephen's captivity was brought into Normandy, the archbishop of Rouen and all the principal barons offered their dutchy once more to the earl of Blois, and proposed to assist him in conquering England: a proposal too extravagant, as well as too odious, to be received by the earl, who would have incurred the detestation of all mankind, by coveting the spoils of his brother and nephew, instead of aiding them in their calamity. But even some parts of Normandy were not, at that time, in the power of those who made this offer; and there was no prospect of success in an attempt upon England, where he would have been equally opposed by both parties. He therefore refused to engage in such undertakings, unfit for a prince of his character; but ably availed himself of the overtures made to him on the part of the Normans, to treat with the earl of Anjou, whom he agreed to acknowledge, both as duke of Normandy and king of England, on condition that he should give up the city of Tours, to which the earls of Blois had an ancient claim, set Stephen free, and restore to him all the possessions he had enjoyed before he was made king. None of these articles were performed by the earl of Anjou, who had not indeed the power of executing that part of the treaty which related to Stephen. Nevertheless the earl of Blois persevered in his purpose, not to embroil himself

Ord. Vital.
l. xiii. p. 923.
sub anno.
1147.

himself in the troubles of Normandy. Geoffry, being therefore secure on that side, and acting with vigour, while the Normans were stunned and dispirited by the success of Matilda in England, made himself master of a great part of the dutchy, either by force, or by agreement with some of the nobles, who, upon terms of advantage stipulated for themselves, gave up to him what they found they could not defend. But many places of strength still continued in the hands of Stephen's adherents, who, being encouraged by the favourable change of affairs that happened in England soon afterwards, were still unsubdued, when the earl of Gloucester came over from thence into Normandy, sent by Matilda, to negotiate with her husband. The earl of Anjou received him with all possible marks of esteem and affection: but, being pressed by him to go over to England, as the only method left of supporting the cause of his wife and son, he excused himself from it, by pleading the danger of withdrawing his person or forces from Normandy, while so large a portion of that dutchy yet remained unreduced. The earl of Gloucester, to remove this objection, attended him into the field, and served under his orders, till they had taken ten castles, among which were some of great importance. But Rouen, the capital city, was still in the power of their enemies; and Geoffry esteemed his possession of Normandy neither complete nor secure, till that was subdued. He alledged other causes for his not being inclined to pass the sea, particularly the fear of a rebellion in Anjou, which he had some grounds to expect if he removed too far from the borders of that earldom. There was, perhaps, a secret reason, which had more weight in his mind than all other objections, viz. the difficulty of settling with Matilda herself and the barons of England, what share of royalty should be given to him, in and over that kingdom. For

Chron.
Norm. p.
979, 980.
Ord. Vital.
l. xiii. p. 923.
Gerv. Chron.
p. 1857. sub
ann. 1142.
Malmsh.
hist. nov.
f. 109, 110.

neither was she of a temper to part with the sovereignty vested in her by the will of her father, nor did he like to reside there as her subject; and none of the English had yet expressed the least inclination to receive him as their king. This in all probability had before made him unwilling to go into that kingdom, and was the chief cause of his backwardness at this time. That he desired the title of king of England appears from the treaty he made with the earl of Blois; and when he sent for the earl of Gloucester, it might be with an intention to sound him on that point, which, by the influence of this lord over his sister and her party, he might hope to gain at that crisis. But it may be presumed, that when he had conferred with him upon the affair, he found no encouragement; and this might well produce a disgust, which, together with the unsettled condition of Normandy and his dread of troubles in Anjou, determined him to refuse the request of Matilda. All that her brother could prevail upon him to do, after much intercession, was to send over Prince Henry Plantagenet, his eldest son, then between eight and nine years old, to encourage and animate his party in England by the sight of a prince, to whom they had sworn allegiance when he was in his cradle, and who could not yet have given them any offence. This was the more wanting, as they were alienated so much from his mother by her ill conduct; besides the objections which the nation in general had to her government on account of her sex. To give a new and better object of hope to the wife, and zeal to the multitude, was doubtless good policy. But, while the earl of Gloucester was employed in persuading the earl of Anjou, by these and other reasons, to let him carry over the young prince into England, he was obliged by the ill news he received from that kingdom to hasten his return to it; the events that had happened during his

Malmsh.
hist. nov. l.
ii. f. 110.

Gerv.
Chron. sub
ann. 1142.
Malmsh. hist.
nov. l. ii. f.
110. H.
Huntingd.
l. viii. f. 225.
Gest. Steph.
Reg. l. ii.
p. 958, 959.

his absence having shewn that his apprehensions upon leaving his sister, to go into Normandy, were well founded. For very soon afterwards, the king, having entirely recovered his health, and seeking to revenge the ill usage he had suffered, prosecuted the war with great vigour. He felt the advantage he had in the earl of Gloucester's being out of the kingdom, and improved it to the utmost. His first enterprize was against Warham castle, which, being very ill garrisoned, was soon taken. He then marched into Gloucestershire, came on a sudden to Cirencester, surprised the castle and burnt it to the ground. From thence he proceeded with equal celerity to two other castles, situated on the road between Cirencester and Oxford, which Matilda had fortified, as out-guards and barriers, for her greater security during her abode in that city. The strongest of these he took by storm, the other by capitulation; and, having thus opened his way to Oxford, unexpectedly appeared before the town. According to an historian who lived in those days, it was then surrounded by waters so as to be thought inaccessible, and was further secured by the strongest fortifications in use at that time. The castle and tower, which covered one side of it, were accounted impregnable; and there the empress resided: so that neither she nor her friends apprehended any danger; especially as they thought the king at a distance, and had no idea that he could so speedily have reduced all the forts which barred his way. When his army was seen upon the outward bank of the river, before the walls of the town, the garrison sallied out, and confidently supposing that it could not be passed advanced to the brink of it, from whence their archers infested his cavalry with showers of arrows, and some among them derided him in a scurrilous manner. Incensed at their insolence, he pointed out to his soldiers a part of the river, where he remembered

Gest. Steph.
Reg. p. 958.
l. ii.

Gest. Ste-
phan. Reg.
p. 959. l. ii.

that there had formerly been a ford, and setting spurs to his horse courageously plunged into it himself. The whole cavalry followed; and though even there the water was so deep, that it forced the horses to swim, they passed it safely, and charging the enemy, who stood motionless, from their astonishment at the boldness of this attempt, immediately broke them; and not only drove them into the town, but entered it with them; and after they had set fire to several parts of it, killed or took prisoners most of the garrison: those only escaping who were able to get into the castle.

This was much the most spirited action that had been done in the course of the war; and by the happy success of it Stephen saw himself, almost in an instant, possessed of a city, which it must have cost him many months to reduce by the approaches of a regular siege. But what gave him most joy was the hope, that, in consequence of this fortunate temerity, he should make the haughty Matilda his captive, after having been her's. For he held her shut up in the castle, as in a prison, and assured himself he should at length be master of it by famine, if not by force. That he might have the advantage of both methods, he assaulted it furiously with battering engines, and at the same time shut up all access to it from the country by the closest blockade. The barons, who had pledged their faith to the earl of Gloucester, that they would guard his sister from all danger during his absence, seeing her now so greatly exposed by their negligence, assembled at Wallingford, and there resolved to fight with Stephen, if by any means they could draw him into the field: but he wisely continued his siege, without accepting the battle they offered; nor durst they attack him within the fortifications with which he was covered: he was in no want of provisions, the town being full of them; and they found it impossible

to

Malmsh.
hist. nov. l.
ii. f. 110.
Gest. Steph.
Reg. p. 959.

to prevent him from receiving any supplies he might want, by his communication with London, as he was master of the whole country between that city and Oxford: to that, after several vain consultations about it, they drew off their forces, leaving Matilda in despair of any relief. But her invincible spirit made her hold out beyond their hopes, preferring death to captivity, and animating her garrison, which was chiefly composed of the knights and officers of her household, with her own courage. She was in this situation, when the news of her danger reached the earl of Gloucester, who thereupon took a hasty leave of the earl of Anjou, and with Prince Henry, his nephew, set sail for England. His voyage was prosperous, and he arrived, with a force of between three and four hundred knights, in his own port of Warham, about the beginning of November, in the year eleven hundred and forty two. He found the castle there possessed by a garrison of the king's troops, who agreed to yield it to him at the end of three weeks, if their master did not relieve it before that term. But neither the loss of this place, nor any other detriment his party might suffer, appeared to Stephen a sufficient motive to abandon the great object he had in view. He determined, and publicly declared to his friends, that he would not depart out of Oxford, nor send away any detachment of his forces from thence, on any account, till the castle was surrendered to him, and the empress herself delivered into his hands. The garrison of Warham, upon receiving this answer, gave up the fort; and the earl of Gloucester soon afterwards took the isle of Portland, which Stephen had fortified, and also Lulworth castle. As neither William of Ipres, nor any other nobleman on the king's side, made head to oppose him, it may be presumed that they were all employed under that prince in besieging Matilda, except those

to whose charge his most important towns and fortresses were committed. Indeed the length of the civil war had by this time so exhausted the strength of the kingdom, and garrisons were to be found for so many castles, that a thousand men at arms are spoken of by historians as a great army. The force which the earl of Gloucester had brought over from Normandy, joined to some of his vassals, was therefore sufficient to give him a superiority upon that coast: but none of these conquests were of much use to the party, while the person of the empress continued in danger; a danger which every moment grew more alarming, as she had now been besieged above two months, and began to suffer the utmost distress for want of provisions. Sensible of this, her brother exerted all his power with the party, to induce them to make an extraordinary effort, and run the risk of attacking Stephen within Oxford walls, rather than permit him to accomplish his purpose of taking Matilda. He sent a general summons to all her adherents to meet him at Cirencester, declaring his intention to lead them directly from thence to Oxford. They came at his call, admitted the necessity of what he proposed, and were on their march to put it in execution, when, to their infinite surprize and joy, they heard she was safe in the castle of Wallingford.

Vid. auctores citat. ut supra.

Geist. Steph.
Reg. l. ii.
p. 959.

By what means this very wonderful escape was effected we are not well informed. The contemporary author of *the acts of King Stephen* says, that the empress, reduced to the utmost extremity for want of all food and necessaries of life, and despairing of succour, went out of the castle, by night, accompanied only by three knights of her household, whom for their prudence she chose to be her attendants on this occasion; without the knowledge of the rest of her garrison; and, being conducted by one of the enemy's army, whom she had

had gained, passed over the Thames, which then happened to be frozen so hard as to bear, and through the midst of the king's troops, which were posted very thick on the other side of the river, till with great labour and difficulty she got safe to Abington, after having walked almost six miles, through a deep snow. Some authors later than this, yet near to those times, have added this circumstance, that she and all her attendants were cloathed in white linen, to be less distinguished in the snow, and the more easily escape observation. But William of Malmſbury, who was most likely to know the truth, confesses his ignorance as to the circumstances of her escape, and says, all he could learn with certainty about it was, that, upon the alarm of the earl of Gloucester's approach, many of the king's forces at Oxford deserted, and the rest became more negligent than they had been before, in keeping watch about the castle; their thoughts not being so much employed on that object as on the battle they expected to fight: that this was observed by the citizens, who, favouring the empress, gave her intelligence of it by some means or other; upon which she went out of a postern gate, with four knights, passed the river Thames, and walked on foot as far as Abington, where she took horse, and rode from thence to Wallingford castle. The same historian says in another place, that many persons had joined the king's army at Oxford, more out of greediness to obtain a share in the booty which they expected to find in the castle, than enmity to the empress. Among these it is very probable some were corrupted, to suffer her to pass by their posts unmo-
lested. Upon the whole we have certainly reason to suspect, that there was a secret in this affair which never was published, and more than one traitor in the army of Stephen. Otherwise he might justly be accused of such negligence, as
would

V. H. Hunt.
l. viii. f. 225.
Gerv. Chron.
et Hoveden.
ann. p. 1.
sub ann.
1142.
Brompton.
Chron.
p. 1032.
Neubrigen-
sis, l. i. c. 10.
Malmſb.
hist. nov.
l. ii. f. 110.

would be unpardonable in a commander, and can hardly be supposed in one of his active and vigilant character.

Matilda had often been saved beyond all hope, just when she seemed on the very brink of destruction; and her former escapes out of Arundel castle, London, and Winchester, were not so surprising as this: but whatever obligations she had in it to fortune, she owed yet more to her own dauntless and masculine courage. Indeed she had a mind which could not bear prosperity, but which adversity could not conquer. That spirit which power rendered haughty and insolent was intrepid in danger and great in misfortune. As soon as Stephen was informed of her being at Wallingford, he offered terms to the garrison of the castle of Oxford, which they accepted, and immediately surrendered it to him: an acquisition of consequence, and which, if he had not lost a greater prize, would have been matter of great joy and triumph to his party. During the rest of the winter all was quiet, and the empress was paid for all that she had suffered, by the sight of her son, whom the earl of Gloucester brought to her at Wallingford. He was afterwards carried to Bristol, and continued there four years, under the care of his uncle, who trained him up in such exercises as were most proper to form his body for war, and in those studies which might embellish and strengthen his mind. The earl of Gloucester himself had no inconsiderable tincture of learning, and was the patron of all who excelled in it: qualities rare at all times in a nobleman of his high rank, but particularly in an age when knowledge and valour were thought incompatible, and not to be able to read was a mark of nobility. This truly great man broke through that cloud of barbarous ignorance, and, after the example of his father King Henry, enlarged his understanding and humanized his

Gerv. Chron.
p. 1358.
sub ann.
1142.

See Malmsh.
f. 98.

his mind by a commerce with the muses, which he assiduously cultivated, even in courts and camps, shewing by his conduct how useful it was both to the statesman and general. The same love of science and literature he likewise infused into his nephew, who under his influence began to acquire what he never afterwards lost, an ardour for study and a knowledge of books not to be found in any other prince of those times. Indeed the four years he now passed in England laid the foundations of all that was afterwards most excellent in him; for his earliest impressions were taken from his uncle, who, not only in learning, but in all other perfections, in magnanimity, valour, prudence, and all moral virtues, was the best example that could be proposed to his imitation. Nor was it a small advantage to him that he was removed from the luxury of a court, and bred up among soldiers in the constant practice of chivalry, which gave a manly turn to his mind, and made him despise a life of effeminate sloth. In this situation the earl of Gloucester was able to keep the smooth poison of flattery from him, and the first lessons he learned were those of truth. While he was thus formed to greatness by a good education, the kingdom he was born to inherit was fought for, with alternate success, by the empress his mother, and Stephen. So many sudden, and wonderful changes of fortune, as both of these experienced, during the course of this war, are not to be found in any other history, and hardly in any well invented romance. The great superiority that Stephen had gained in the year eleven hundred and forty two seemed to promise him a decisive success in the next, notwithstanding the escape of Matilda from Oxford. But the event was not answerable to these expectations. For, after a vain attempt upon Warham castle, which ended only in ruining the country about it by the barbarous ravages of his mercenary

See Petri
Blesensis
epist. 66.

Gerv. Chron.
sub ann.
1143.

Gest. Steph.
Reg. i. ii.
p. 959, 960.
Neubrigen-
ss, i. i, c. 10.

mercenary troops, he endeavoured to build a fort at Wilton, or rather to fortify a nunnery there, which was conveniently situated to bridle the excursions of the garrison of Sarum, and of other castles and towns that were held in those parts for the empress. The profanation was authorised by the bishop of Winchester, who, at the head of his vassals, attended the king his brother upon this service, to which all the barons of their party were summoned and many came; but while the rest were on their march, the earl of Gloucester, who diligently watched all the motions that the enemy made, collected his friends, and before those supplies could join the king came suddenly on him at Wilton, and attacked him with so much spirit, that the greater part of his army was instantly routed. He would himself have been either slain, or again taken prisoner, if the brave William Martel, his senechal, had not made a stand for some time, with a few of his own vassals, against the whole force of the enemy, and stopped them till the king and his brother had escaped: but after having done the utmost that valour overpowered by numbers could do, he was forced to yield himself prisoner, and could not obtain his liberty from the empress, till he had surrendered to her his castle of Shirburn, accounted at that time one of the keys of the realm. All Stephen's baggage, the gold and silver plate belonging to his table, and other rich utensils of his household, were taken and plundered. It happened well for him that the action did not begin till after sun-set; so that darkness coming on assisted his flight. But the dishonour and ill consequences of such a defeat he could not escape. They were so detrimental to him, that, soon afterwards, the lately dejected Matilda saw herself mistress of one half of the kingdom.

Nor

Nor was it in England only that fortune now seemed to smile upon her party. During the course of this year the earl of Ancaſter got poſſeſſion of the city of Rouen, and aſſumed to himſelf the ſtyle and title of duke of Normandy, which dutchy he appears to have held independently of Matilda, and not in her name, but in his own. Yet the oaths which the Normans had taken in the life-time of her father, with regard to the ſucceſſion, had been to her, not to him, and after her to her ſon. But it was generally underſtood in thoſe days, that, when the ſucceſſion to a fief devolved on a woman, the adminiſtration and profits of it, if ſhe had a huſband, belonged to him, in virtue of the marriage. And this properly aroſe from the genius of fiefs, which requiring the performance of ſervices to which women were by nature unſuitable, the huſband was, on that account, preferred to the wife. The whole ſex indeed had been excluded from fiefs in their original inſtitution ; but although that principle was now departed from, or at leaſt not univerſally and ſtrictly obſerved, the reaſon of it continued to prevail ſo far, as to transfer all the rights and feudal duties of the wife to the huſband, wherever a fief was allowed, in caſe of the want of heirs male, to deſcend to a female. It even extended to ſome kingdoms ; as, for inſtance, to that of Jeruſalem, which was governed by Fulk earl of Anjou, the Father of Geofry, in virtue of his marriage. But it does not appear that the Engliſh nation ever received this rule of law, with regard to the crown, though they did, at this time, with regard to private eſtates.

Among the Norman nobility, who aſſiſted Geofry in beſieging the caſtle of Rouen, was Waleran earl of Meulant ; which is very ſurpriſing ; as that earl had been always, next to William of Ipres, in the higheſt degree of confidence and favour with Stephen, who particularly employed him in his

Chron.
Norm. p.
981. ſub
ann. 1143.

V. Crag.
Feudorum,
l. i. t. 11.
c. 4. p. 116.

V. Crag.
Feudorum,
l. ii. tit. 14.
p. 170.

Chron.
Norm. ſub
ann. 1143.

See Ord. Vit.
l. xiii. p.
923.

Chron.
Norm. sub
ann. 1143,
1144.

his Norman affairs. From what cause of disgust, or what temptation of interest, he now abandoned the king, and joined with the earl of Anjou, we are not informed. He, and his half-brother, the earl of Warren and Surrey, had been among the most forward in bringing aid to the queen, after her husband's captivity; and the latter was still firm in endeavouring to support the cause of that prince, both in England and Normandy: for the castle of Rouen was defended by his soldiers against the earl of Anjou, till they were compelled by famine to give it up; and, even when that was surrendered, another fortress in Normandy was held for the king, by mercenary troops in the pay of that lord. But it was soon forced to capitulate; the earl of Anjou attacking it, not only with his own forces, but with those of his brother-in-law the earl of Flanders, and of his sovereign, the king of France, who both came personally to aid him in this siege.

It must appear very marvellous, that Louis, whose sister was wife to Stephen's son, and who had invested that prince with the duchy of Normandy, in consideration both of his marriage and of a great sum of money given by Stephen, should assist the earl of Anjou to take it from him! In order to account for this unnatural and scandalous conduct, it will be necessary to relate some transactions, which happened in France, from the time when he espoused his sister to Eustace, till he engaged in this war against him.

Chron. Nan-
gii. Heri-
mannus in
Spicilegio.
S. Bernardi
epist.

At the end of the year eleven hundred and forty, Innocent the second, then pope, upon an appeal from the chapter of Bourges about the election of their archbishop, nominated and consecrated Pierre de la Châtre, a creature of his own, without the consent of the king, and against a choice to which he had given the royal approbation. Louis, incensed at so daring an invasion of the rights of his crown,

pub-

publicly swore, that, as long as he lived, he never would admit the prelate to nominated into that see; but permitted the chapter to elect any other. This was no little concession; yet it was far from satisfying the pope, who ordered Pierre de la Châtre to go immediately to his see, in spite of the king, and promised to support him by the papal authority; saying, "that Louis was a young prince who needed instruction, and must be taught by wholesome corrections not to take the liberty of thus interfering in ecclesiastical matters: for elections would not be free, if a prince might be suffered to give an exclusion to any of the candidates, unless he could prove the unfitness of the person he excluded before the ecclesiastical judge; in which case he might be heard as well as another." *Such* (says father Daniel) *was the manner in which the Popes of those times behaved themselves towards princes, very different from that of their ancient predecessors, as well as most of their successors.* It is evident from these words, that he, though a Jesuit, was too good a Frenchman, and too intelligent an historian, not to see that neither the language nor the conduct of Innocent in this affair could be decently justified. But one of the *saints* of his church, the famous Bernard, then abbot of Clairvaux, was of a different mind, and acted the part of a most furious incendiary upon this occasion, calling on the pope *to deliver the church from the oppression it suffered; to repress with an apostolical vigour the authors of the evil, together with their chief, whose will had been his law; and to make his iniquity fall upon his own head.* So very prone to rebellion was the zeal of those times!

Innocent encouraged by these instigations, threatened the king with excommunication, and proceeded so far to carry his menaces into execution, that

Nangius in
chronico ad
ann. 1141.

Pere Daniel
histoire de
France,
Louis vii.
sub ann.
1141.

V. S. Bern-
nardi epist.
216. ad In-
nocentium
Papam.

V. Othon.
Frisingenf.
Chron. l. vii.
c. 21.
S. Bernard.
epist. 219.

that he put the royal demesne under an interdict ; and some vassals of the crown took up arms, in concert with him, against their sovereign ; particularly the earl of Blois, who, at the desire of his Holiness, gave the archbishop, Pierre de la Châtre, a retreat in his territories. The mischiefs brought on the whole kingdom by this civil war were so great and grievous, that Bernard himself thought it necessary to turn mediator, and entreated the pope to *shew the king some indulgence, out of regard to his youth, his passion, the royal majesty, and the public oath be had taken ; yet on such terms, as might for the future restrain him effectually from such a presumption ; saving the ecclesiastical liberty, and the rights of the archbishop, whom his Holiness had consecrated.* By throwing in these restrictions he made his intercession a mere matter of form, decent with regard to himself, but useless to the king, who was far from being disposed to submit to conditions so disadvantageous to him. Innocent was determined to grant him no better ; though to his friendship and protection he had been, in a great measure, obliged for the popedom. The see of Rome had gained immensely from the gratitude of princes for services done them in their temporal interests, but never had lost any thing by its own gratitude for any obligations or favours received. Innocent therefore acted upon the same principles as all his predecessors, in forgetting how much he owed to the king of France, when a question arose on a point wherein the power of the church was concerned. But, while this dispute was supported on both sides with great animosity, Louis was exasperated against the earl of Blois from another cause. The earl of Vermandois, who was nearly related in blood to the king and high in his favour, had fallen violently in love with Petronilla, the queen's youngest sister, and one of the most beautiful women in France. To gratify his passion,

Chron. Nan-
gii.
Heriman. in
Spicilegio.
Bernard.
epist. 217.
Histoire de
Suger, l. vi.
Pere Daniel.

sion, he determined to procure a divorce from his wife, who was a niece of the earl of Blois, and by whom he had children, upon the usual pretence of too near a relation. This being concerted between him and his mistress, he found means to engage an assembly of French bishops to declare his marriage null; and wedded her, the next morning, with the consent of the king and queen. But whether it happened that the affinity was not well proved, or that the pope had not been applied to before-hand for his approbation, or that the interest of the earl of Blois, in behalf of his niece, was more powerful at Rome than that of her husband, the consent of that see to this scandalous proceeding could not be obtained. Nor was it generally approved in France. The abbot of Clairvaux inveighed against it with extraordinary fervour; and his judgment was of great moment: for he had the art of reconciling two characters which seem incompatible, that of a man extremely busy in the affairs of the world, and that of a rigid recluse. By the austerity of his manners, and by an intrepid freedom of speech, joined to more eloquence, learning, and dexterity, than any other clergyman of that age was endowed with, he had gained such an authority, that not only the people, but many of the princes, and even the popes, contemporary with him, referred to his counsels. As he lived in great intimacy with the earl of Blois, his regard to that friendship might naturally encrease the warmth of his zeal against this transaction, by which the family of the earl was dishonoured. But whatever his motives might be, the part he took was very becoming to a man of his character; and his credit at Rome was well employed, in exhorting the pope to correct the earl of Vermandois, and the lady he called his wife, with the utmost severity of ecclesiastical discipline.

Epistol. Bernard. 217.

Chron. Nann. gii.
Hermani in
Spicil.
Bernardi
epist. 220,
221, 222.
224- 226.

cipline. Nor were those exhortations ineffectual. They were both publicly excommunicated by the pope's legate; and the bishops who had annulled the former marriage were suspended. But the king of France, who considered this sentence as disgraceful to his own honour, attacked the earl of Blois, whom he thought the author of it, and soon reduced him to sue for peace; which he obtained, by the mediation of Bernard and the bishop of Soissons, upon condition, that he should prevail with his Holiness to absolve the earl of Vermandois. Accordingly, the legate was persuaded to take off the censures, in deference to his intercession: but that lord refusing obstinately to part with his new wife, they were laid on again, by the pope himself: which Louis resented, and complained bitterly against the earl of Blois, for having thus deceived him and broken his faith. Indeed it evidently appears from a letter of Bernard, that, when the earl promised to obtain the absolution, he did it with an intention of duping the king; it being understood between him and the legate, that after he had obtained a cessation of arms, which at this time he much wanted, the censures should be renewed. Louis also suspected him of other intrigues carried on to his prejudice. He was, in truth, a very turbulent subject, though he had the character of a most religious and pious man. By his liberal alms and benefactions to the church he had so gained the monks, that they were called *his army*; and a formidable *army* they were, with whom the bravest princes were afraid to contend. But Louis stood then so little in awe of them, that he made war on their *general* more fiercely than before, destroyed a part of his country with fire and sword, and found no resistance, till he came to Vitry, a town in the Perthois, which, being defended by a strong garrison, refused

V. epist.
Bernard.
217.

Pere Daniel.

sed to surrender. Incensed at this opposition he put himself at the head of his troops, assaulted the town, took it by storm, massacred the inhabitants, even the women and children, and commanded his soldiers to set fire to the houses. Thirteen hundred persons, of both sexes, of every age and condition, took refuge in the great church, which, they supposed, would be respected, as a sacred asylum: but no mercy was shewn to them: the church was burnt; and all within it were miserably consumed in the flames.

Robertus de Monte, append. ad Siebert. ad ann. 1143. Hist. de Suger, l. vi. Pere Daniel.

The best friends of the king were shocked at this horrid barbarity; and, when he came to reflect coolly upon it himself, he was struck with such deep and severe remorse, that he was ready to fall into despair. For his mind was naturally humane; but he could not controul the impetuosity of his passions, and had, on this occasion, been so transported and blinded by his fury, as, like one possessed by an evil spirit, to act in a manner most contrary to his usual disposition. Upon the return of his reason, he saw all the enormity of what he had done, and instantly gave himself up to a passion of sorrow, almost as violent as that of his rage had been before; which Bernard very skilfully taking advantage of, and subjecting to himself an understanding dismayed and enfeebled by guilt, brought him, not only to make peace with the earl of Blois, but to submit to the pope, and receive Pierre de la Châtre as archbishop of Bourges. Nor did the change that was wrought in him, by the lessons he then learned, only affect his present conduct. From this time, even to the latest hour of his life, he became a bigotted slave to Rome, and, instead of continuing to support the rights of his crown with a proper spirit and firmness, weakly contributed to assist the establishment of the papal dominion, both in his own

realm and in England ; as king Henry the second experienced long afterwards, in his quarrel with Becket. So bad a use was sometimes made by the *saints* in those days of the contrition of penitents, and so dangerous was it for a king to be under their conduct or influence !

Chron.
Norm. sub
ann. 1143,
2144.

During these troubles in France, and while the anger of Louis was inflamed against the earl of Blois, he found it necessary to court the earl of Anjou, who prudently availed himself of this state of his affairs, to complete and secure his possession of Normandy. Thus all the interests of the princess Constantia were sacrificed by the king, her brother, to his present advantage, and to his apprehensions of strengthening the house of Blois, which he found so disobedient and so troublesome to him. Yet the ascendant gained by Bernard over the mind of this monarch, in consequence of the offence he had committed at Vitry, might very probably have produced an alteration in favour of Eustace, if soon after this time both Louis and the abbot had not been wholly taken up with another affair, which employed their thoughts during some years ; I mean a crusade for the defence of the Holy land against the arms of Nouredin, sultan of Aleppo.

As in the consequences of this enterprize Henry Plantagenet was deeply concerned, and owed to some incidents, which happened in the course of it, his marriage with Eleanor ; a marriage, which gave to him, and to the kings of England, his posterity, the great duchy of Aquitaine, and produced much of the happiness and unhappiness of his life ; it will be proper to relate, in a summary manner, the rise and progress thereof ; and the rather, because the spirit or distinguishing character of the times cannot be perfectly understood, without a peculiar attention to this famous transaction, in which almost all the princes and nations of Europe

rope engaged with so much ardour, that they seemed to think no other interest deserved their regard. While I am treating of this subject; I shall also give some account of a former crusade, which I omitted in writing the general history of the period wherein it happened, because I thought a narration of it would come in more agreeably and connectedly here, than where it must have been blended with other matters of a different nature. For nothing can be shewn with due perspicuity in broken and scattered lights.

It has already been related, how Fulk earl of Anjou, the father of Geoffry, was called over to Palestine by Baldwin the Second, king of Jerusalem, in order to marry Melisenta his daughter, and succeed to him in his kingdom. The nuptials were celebrated in the year eleven hundred and twenty seven, and Baldwin died in eleven hundred and thirty one, after many vicissitudes of good and bad fortune, in both which he had shewn himself a man of great courage, but one in whose temper that quality was mixed with some rashness. The king, his son-in-law, maintained the high reputation of valour and prudence, which had raised him to the throne, and ruled a weak state with great renown, till the year eleven hundred and forty two, when he was unhappily killed by a fall from his horse, as he was coursing a hare upon the plains of Ptolemais. He left his realm to Baldwin, the eldest of two sons that Melisenta had brought him, and who, being a minor, was put under the tuition of his mother. She was also appointed regent of the kingdom; which would have belonged to her, as sovereign, in her own right, and could not, till her death, have descended to her son, if the rule of succession in this and other governments, during the eleventh and twelfth centuries, had not been generally unfavourable to women. But she had only the administration of it, in trust

See the foregoing book.

Gal. Tyr.
l. xiii, xiv,
xv.

for her son, during the time of his nonage. It is difficult to account for the policy of making her regent : such a delegation of the royal authority being no way agreeable to the notions and principles, upon which she was excluded from inheriting the crown at the death of her father. But the same inconsistency is observable in the kingdom of France. Melisenta was a lady of a masculine spirit ; and had abilities above the weakness of her sex ; which were indeed very necessary for her, when the safety of a country perpetually attacked by more powerful neighbours was entrusted to her care. Of these the most formidable was Omadeddin Zenghi, Sultan of Mosul and Aleppo.

The empire of the Saracen Caliphs of Bagdat, which under Haroun Al-reschid, a prince contemporary with Charlemagne, had been as great in the East as that emperor's in the West, was now reduced to a mere religious supremacy, preserved to them by custom, and by a continuance of that veneration, founded upon their descent from the family of their prophet, and upon the chief priesthood annexed to their dignity, which had made the former Caliphs of all kings the most absolute, while they knew how to reign. But the descendants of those princes having sunk into a slothful and effeminate life in a voluptuous seraglio, the governors of their provinces, by degrees, rendered themselves independent, and paid no farther regard to them, than in receiving from their hands a form of investiture ; while the most powerful of these officers, under the title Emir al Omara, or generalissimo, usurped all their authority in civil affairs. The family of Buiah having thus governed the caliphate for more than a century, Cadher, the twenty fifth caliph of the house of Abbas, became impatient of their yoke ; and being unable, by any strength of his own, to shake it off, put himself under the protection of Mahmoud, sultan of Gafnah,

See Herbelot
Diction. O-
rientale, un-
der the arti-
cles Cadher
and Mah-
moud le Gaf-
nevide.

Gafnah, a prince of Turkish extraction, and one of the greatest conquerors the world ever saw; for he subdued all the Indies, besides Persia, Georgia, and whatever dominions belonged to the caliphate, which he ruled under the name of protector or guardian. His virtues rendered him worthy of a still greater empire than that he possessed, and he had the happiness to leave it entire and peaceable, after a long life of constant prosperity, to his son, named Massoud. But, during the reign of that prince, a new revolution happened in the East.

See Herbelot under the articles Massoud and Selgiuck.

A colony of Turks, under the conduct of Selgiuck, the chief of one of their principal tribes, had come from Capchack, which is a part of Great Tartary lying north-east of the Caspian sea, and settled in multitudes upon the confines of Bockara, where they embraced the Mahometan religion. Soon afterwards they made themselves masters of Bockara, and pushed their conquests much further under Thogrul-beg, the grandson of Selgiuck, who to the Scythian strength and courage joined all the talents and virtues of a great king. Having been slighted by Massoud, to whom he and his brother had offered their service, he passed the Oxus, defeated that sultan, and, after subduing all Persia, was invested at Bagdat, by the Caliph, Caim Beemrillah, with the same dignities and power in the empire, as had formerly been enjoyed by the house of Buiah. From this epoch the dynasty of the Selgiucides, famous in Asia, is reckoned to begin, and continued very flourishing for three generations.

See Herbelot under the articles Thogrul-beg and Caim Beemrillah.

Thogrul-beg was succeeded by his valiant nephew Alp-Arslan, who, with an army of no more than twelve thousand men, beat the Greek emperor, Romanus Diogenes, at the head of three hundred thousand, and took him captive. This sultan left the government to his son Gelaleddin, whose dominions extended from Urquend a city of Tur-

See Herbelot under the articles Alp-Arslan, Gelaleddin, and Suliman.

questan beyond the river Oxus, to Antioch in Syria, which he won from the Greek empire, by the good conduct of Soliman, a prince of his blood, on whom he bestowed it with part of the Lesser Asia; and it was from a lieutenant or emir of Soliman that it was taken by Boemond, one of the bravest and wisest chiefs of the first crusade. The good success of that enterprize was greatly facilitated by the death of Gelaledin, which happened in the year of our Lord one thousand and ninety two. For, on that event, disputes arising about the succession, the power of the Segiucides was thereby much weakened, and the arms of the Crusaders met with a feeblor resistance, than they would have done, if it had still subsisted in that fulness of strength, which it had acquired during the life of this sultan. Nor was it ever recovered by his successors. For the governors of their provinces became independent, and paid as little obedience to them as they did to the caliphs. Thus Omadeddin Zenghi, under the grandson of Gelaledin, made himself sovereign of Mosul, the capital of Assyria, to which he soon added Aleppo and Hamah in Syria: conquests that rendered him formidable to all his neighbours, but especially to the Christians. The city of Edessa, with a great part of Mesopotamia, had been taken from a lieutenant of the sultan of Bagdat, by Baldwin, the younger brother of Godfrey of Bouillon, who, having been elected king of Jerusalem, at Godfrey's decease, gave up this inferior state to Baldwin de Burg, his cousin german. This prince also, having succeeded to the throne of that kingdom, resigned Edessa, with all its territory, which had the title of an earldom, to his relation, Joscelin de Courtenay, a man of courage and prudence, who maintained it for some years against many sharp attacks of the bordering Turks, and left it, at his death, to his son. But he, being young,

See Herbelot
under the ar-
ticles Ata-
beck and
Zenghi.

See Herbelot
under the ar-
ticle Edessa,
and Gul.
Tyr. de bel-
lo sacro, l.
xvii. from p.
890 to 894.
under the
year 1142.

and profligate, gave himself up to his pleasures ; of which Omadeddin Zenghi, the sultan of Mosul, taking advantage, came on a sudden, and, while the earl was indulging his riots at Turbessel, a town on the Euphrates, laid siege to Edessa, which wanted many necessaries for its defence, and was garrisoned only by mercenaries, who were ill paid. In vain did the earl, whom the danger of his capital had roused from that lethargy into which his debauches had thrown him, put himself at the head of what forces he could raise, and solicit Raymund prince of Antioch and the queen regent of Jerusalem to assist him in this exigence. The former, under whom he held part of his territories, had been, for some time, upon such ill terms with him, that he forgot they had a common interest to hinder a city of so much importance from being conquered by the Turks, and delayed to give him assistance, till it was too late. Melisenta indeed ordered some of her best troops to march to his succour : but before they could arrive the sultan had taken the place by storm. From thence he went to besiege Colengebar, a fortress upon the Euphrates, and undoubtedly would have pushed his conquests much further, if he had not been murdered in his tent by a conspiracy of his own slaves. After his death, his dominions were divided among his sons ; Aleppo and Edessa, with all the other conquests made by him in Syria, falling to the share of Nouredin, his second son, according to William archbishop of Tyre, a contemporary writer, but the eldest of three, according to Herbelot and some of the best Arabian historians. While this prince was in Assyria, disputing there with one of his brothers about their inheritance, the earl of Edessa, who had an intelligence with the Christians left in that city, being informed that the walls were negligently guarded, scaled them
by

Gul. Tyr.
l. xvi. p. 893.
Herbelot under the articles Atabeck and Nouredin. Gul.
Tyr. c. 14.
15, 16. l. xvi.

by night, at the head of some chosen troops, and with the help of the citizens got into the town : but not being able, for want of proper engines, to take some castles, which were a kind of citadel to it, he soon found cause to repent of his enterprize. For when Noureddin was informed of what he had done, immediately quitting Assyria he collected his forces, marched to Edessa, and invested the town. The earl and his troops found themselves now in a terrible situation, harrassed within the walls, by the garrisons of the forts, and assaulted, without, by the army of Noureddin, hopeless of relief, and destitute of provisions to sustain a long siege. Hereupon they all resolved, as it became men of courage, to make a general sally, and endeavour, sword in hand, to cut their way through the enemy ; which, in such an extremity, was the most honourable, and perhaps the safest part they could take. But when their intention was known to the citizens, the dread of being left exposed to the rage and vengeance of the Turks determined them also to go out with the troops, and carry with them their wives and children. Accordingly one of the gates of the town being opened, they all sallied forth ; but were beaten back again by the troops of Noureddin, and attacked at the same time by the garrisons of the forts ; who, opening some other gates to their countrymen, inclosed the miserable Christians between two armies, which made it equally difficult for them either to advance or retire. Yet, after a long and bloody fight, the earl and his soldiers broke through all that opposed them in front, and gained the open fields : but of the citizens hardly any escaped. Nor did Noureddin permit the earl to go off unpursued, but followed him close, and, as he retired towards the Euphrates, which was distant from Edessa about fourteen miles, harrassed his forces all the way with incessant attacks ; till their bravest men having been
killed

killed and the others beginning to break their ranks, their chief himself fled, and got safe to the other side of the river; but his life was all he preserved; for his army was destroyed, and he left his whole country in the power of the Turks.

The fame of this action quickly spread all over the East, and made the name of Nouredin as dreadful, as that of his father had been, to all the Latin Christians of Syria and Palestine. They thought they already saw him at the gates of Jerusalem, and, considering the circumstances of that kingdom, despaired of being able to defend it against such an enemy on their frontier, by their own strength alone. It therefore was necessary to ask the assistance of the princes of Europe, and endeavour to excite them to another crusade. But there was reason to doubt of the possibility of succeeding in such an application. For the chief expedition, made, since the death of Godfrey Bouillon, into those countries from Europe, had proved so unfortunate, that the former ardour for these enterprizes might well have been extinguished.

In the year of our Lord eleven hundred and one, William the Eighth, duke of Aquitaine, Hugh the Great, earl of Vermandois, Stephen earl of Blois, who was father to Stephen afterwards king of England, the duke of Burgundy, the earl of Bourges with other nobles of high rank in the kingdom of France, had taken the cross, at the head of fifty or sixty thousand horse, and a hundred thousand foot, according to the lowest account of their numbers. We are told that the greatest part of this mighty force was drawn from the territories of the duke of Aquitaine: a very remarkable proof of the power of that duchy, which Henry Plantagenet afterwards obtained by his marriage with the grand-daughter of this prince. But the zeal for this warfare against the Mahometans in the neighbourhood of Jerusalem

V. Fulcher. Garnot. sub ann. 1120. Gest. Franc. Expug. Hieruf. sub ann. 1101, 1102. Gul. Tyr. hist. l. x. sub ann. 1101, 1102. Ann. Comnene hist. l. xi. c. 7. Malmfb. l. iv. sub. ann. 1101, 1102. f. 84. Ord. Vital. l. x. Vid. auctores citat. ut supra.

was

was not confined to the French. At the same time, the bishops of Milan and Pavia, with many of the princes and nobles of Lombardy, led from thence another army of fifty thousand men, as an author, who was with them himself, relates. These were joined during their march by the duke of Bavaria, the archbishop of Saltzburg, and other potentates of the empire, whose forces, added to those of the French and Lombards, made up about two hundred and fifty or sixty thousand men, of which at least a hundred thousand were heavy-armed cavalry; besides a great train of priests and monks, and of women and children, with which these armies most imprudently encumbered themselves, encreasing thereby the worst difficulty they had to contend with, that of finding subsistence. The earls of Vermandois and of Blois had engaged in the first crusade, and were forced into this by the disgrace they were branded with in the whole Christian world, for having left their confederates before they had taken Jerusalem; which was esteemed such a blemish to their honour, that (if we may believe a contemporary historian) Adela, countess of Blois, and one of the daughters of William the Conqueror, had so much of her father's spirit in her, as to persuade her husband, with frequent and vehement exhortations, to return to the holy war, in order to recover his lost reputation. He took her advice, though, it is said, with great reluctance, and as if he had foreseen the fatal event. But the duke of Aquitaine had no such instigations, to drive him into this romantic undertaking; and of all the princes then alive he seemed the least likely to engage in it from motives of piety or devotion. William of Malmibury affirms, that he gave himself up to every kind of vice, as if he believed that chance, not Providence, governed the world: to prove which, he relates some very extraordinary facts: as for instance,

V. Abbat.
Ulpergens.
in chron. p.
337.

V. Annales
Boice gentis,
part. i. c. 18.

V. Ord. V.
ut supra.

V. Malmib.
f. 96. l. v.

stance, that in a castle built by the duke one part was laid out in the form of a nunnery, which he declared he would fill, not with nuns, but harlots, and named the most celebrated prostitute of the time to be the lady abbess, and others of lesser note to fill the other offices of this new kind of convent. He also put away his wife, and took another man's (some authors say his own brother's) to live publicly with him, wearing her picture on his shield; and, though he had been excommunicated on account of the scandal this gave, he continued his connexion with her for several years after his return out of Palestine, and was again excommunicated, without being reclaimed. When the bishop of Poitiers was beginning to pronounce the sentence against him, he drew his dagger, and, seizing that prelate by the hair of his head, threatened to kill him, if he did not immediately absolve him. The bishop desired a short time, to say something to him, which being granted, he finished the excommunication with still more severity, and then offering his throat to the furious duke, bade him strike. But that prince, either affected by the firmness of his courage, or having only meant to fright him, said with a smile of contempt, *that he never should be sent to heaven by his hand.* Yet, at the instigation of his mistresses, he banished him out of his territories; during which exile the good prelate departed this life, and was supposed to work miracles after his decease. A report of these being brought to the duke, he said in publick, *I repent of not having put him to death long before, that his holy soul might have owed to me the great obligation of having sooner procured for it celestial beatitude.* Such was the character of this man, whose impiety seems to have equalled the profligacy of his manners: notwithstanding which, the general mode of the times, an ardour for glory, or perhaps

haps that strange mixture of superstition and irreligion, which sometimes is found in the same mind, carried him to the holy land, with the above-mentioned princes. But, though he and his confederates put themselves under the conduct of a great general, Raymond earl of Toulouse, one of the heroes of the first crusade, whom they happened to find detained at Constantinople, yet of these formidable armies hardly a thousand men came safe to Jerusalem, as Conrade abbot of Ursburg, who was with them, affirms.

V. Chron.
Uspurg. p.
239.

V. auctores
citat. ut
supra.

That the Greek emperor, Alexius Comnenus, helped to occasion their destruction, by a secret intelligence, he carried on with the Turks, is asserted by many of the Latin historians who treat of this subject. Nor, indeed, can one much wonder at it, if he so acted: for he had reason to be uneasy at such mighty armies of foreigners so frequently passing through his dominions, which some of them pillaged like an enemy's country, and where almost all behaved themselves with great insolence; as even their own writers are compelled to acknowledge. But I do not find sufficient evidence to establish the credit of this report. Certain it is, that he warned them to take another road, and that their neglect of this counsel was the cause of all their misfortunes. For they presently came into a desert and mountainous country, where they could procure neither food nor forage, and were continually harrassed, during a difficult march above thirty days, by a great army of Turks, collected out of all the neighbouring states, and commanded by Soliman, the warlike sultan of Nice and Iconium, who compleatly revenged himself at this time for the losses, which he had suffered from their countrymen in the first crusade. After repeated attacks, by which he had considerably diminished their numbers, when many of their horses had been killed, or were

V. Ann.
Comnene
hist. l. xi. c.
7. Fulcher
Carnoten. et
Gest. Fran-
cor. Expugn.
Hierusal.
sub. ann.
1101, 1102.
Ord. Vital.
l. x. et
Malmsh. l.
iv. f. 84. sub
ann. 1101,
1102. Gul.
hist. l. x.
sub iisdem
annis.

were ready to die with fatigue and famine, and when the spirit of the men themselves was worn out, he suddenly brought down all his forces upon them, from the tops of some hills, the defiles of which they had entered ; and made so terrible a slaughter of them, that they durst not stand the danger of another assault, but fled, by night, in small parties, leaving their baggage, and all their women and children, with many sick and wounded men, in the power of the Turks, who much incensed at these perpetual wars made upon them, by princes and people whom they never had offended, massacred some, and carried the others captive, even to the furthest parts of the east, where they remained without redemption. Among the women thus enslaved was a princess of Austria, with many other noble ladies. Great numbers of the men, who had fled out of the camp, were overtaken in their flight and cut to pieces, or perished by hunger in the mountains and deserts ; yet, as they went different ways, some of them escaped. Particularly, most of the princes and earls got safe to Tarsus, the capital of Cilicia ; where they lost the earl of Vermandois, who died of the fatigue and hardships he had suffered. After they had paid the last duties to him, and given themselves a little rest, they proceeded to Antioch. The duke of Aquitaine arrived there on foot, with hardly a single knight, or menial attendant, having lost his whole army, horses, money, and all the necessaries of life ; which he was supplied with, in Antioch, by the bounty of Tancred, a Norman prince, who governed that city ; as were also the other chiefs, and some troops of their followers, who had either accompanied them in their retreat, or joined them on the road, after their first separation. Finding themselves strong enough, when they were united together, to make some attempt
against

Vid. aucto-
res citat. ut
supra.

against the enemy, they laid siege to Tortosa, a town in Phœnicia; which being but weakly fortified, they took it by storm, and put themselves by the pillage of it, in a better condition. This city with its territory, which they left in the possession of the earl of Toulouse, was the only advantage purchased by so much Christian blood, instead of the conquest of a great part of Asia, which they had proposed to themselves, when they undertook this adventure. The duke of Aquitain embarked at Joppa, and returned to his own exhausted dominions, without any further misfortune, but dejected with sorrow and shame; from the sense of which he more miserably delivered himself, by plunging deeper than ever into the filth of vice and debauchery. The duke of Burgundy and the earl of Blois had likewise embarked at the same port; but being driven back by contrary winds, they remained in the holy land; and were soon afterwards killed in the bloody battle of Rama; which the king of Jerusalem, too rashly courageous, lost by his ignorance of the number of the enemy he came to attack. The earl of Bourges, brother to Raymund earl of Toulouse, was taken prisoner in the same action. Nor had the duke of Bavaria a much happier destiny, though he escaped from that defeat: for returning home, after the loss of the greatest part of his army, he fell sick, and died, in the island of Paphos. Such was the event of this crusade; which might have deterred enthusiasm itself from ever forming another.

Nevertheless the same epidemical madness, after having been checked during more than forty years, now broke out again, with greater fury than ever, in all parts of Europe; even in those which had suffered most from the last expedition. One of the first who was seized with it was Louis le Jeune. The mind of that king had been strongly

ly disposed to receive it, by the compunction and horrors with which he was agitated, after the cruelties committed at Vitry. He thought a crusade would better expiate his guilt in that action than any other penance, according to the notions which almost universally prevailed in those days. Therefore, when he heard that Edessa was taken, and that the Christians in Palestine desired the succour of their brethren in Europe, he, with great ardour, embraced the opportunity of gaining the remission of his past sins, by the merit of fighting for Christ's holy sepulchre. Other inducements had also some weight with him. His elder brother Philip had made a vow to go to the holy land : but, death having prevented him from performing it, Louis imagined himself in some measure bound to accomplish it for him, because he had inherited the crown in his stead. He further supposed, that those, who implored his assistance, had a right to demand his protection ; the prince of Antioch, and the earls of Edessa and Tripoli, being all Frenchmen, and the king of Jerusalem the son of one of his vassals. There was something more specious in this opinion : yet surely the duty, which he owed, in the first place, to his subjects in France, was a much stronger bond to detain him there. He proposed the affair to his council, who, finding he stated it rather as a case of conscience than as a political deliberation, referred him to Bernard abbot of Clairvaux, whom they thought the best guide in any points of that nature. The abbot, though burning with zeal for the enterprize, had so much discretion, that he would not venture to decide so important a question by his own judgment, but exhorted the king to be advised by the pope.

V. Otto Frisingen. l. i. c. 34. 35.

Idem ibidem. Epist. i. Eugenii pap. tom. 2. concil. p. 1046.

Eugenius the Third, who had been a disciple of Bernard, was then in the see of Rome, and too well understood the interests of it, not to encourage

rage such an undertaking. He sent into France a bull, by which he excited the king and the whole nation to this pious warfare, and granted to all, who should engage therein, as full a pardon of all their past sins, as his predecessor, Urban the Second, had given to those, who had enlisted themselves in the first crusade. He likewise took all their families, possessions, and goods, under his special protection ; even forbidding any legal proceedings against them, till their return ; or against their heirs, till it should be known with certainty, that they were dead. As a further encouragement he freed every debtor, who should take part in this crusade, from all arrears of interest due to his creditors ; and absolved him, or his sureties, *by the apostolick authority*, from any promise or *oath* that he had given for the payment thereof. He also gave to all vassals the liberty of mortgaging their lands to the church, or to any other persons, against the great rule of the feudal law ; in order to raise the money which they wanted for this expedition, if their lords either could not or would not lend it to them, after due notice given. Such were the baits thrown out by Rome, to draw men into this ruinous folly ; and such were the powers, which it furnished that see with a pretence to assume !

Hitherto no crowned head had ever engaged in a crusade ; but to enroll even kings and emperors in those armies, of which the pope was the chief, and by that means to make *him* the *protector* and *disposer* of them and their kingdoms, was, doubtless, a great object of papal ambition. In vain did Abbot Suger, who was as pious a man as St. Bernard, but less a bigot and more a statesman, oppose this design to the utmost of his power. In vain did he remonstrate, both to the king and the pope, how improper and how dangerous it would be for the former, who then had no child, except

Vit. Sugerii
per Guilelm.
Histoire de
Suger, l. vi.
p. 113.
Sug. epist.
144.

a daughter but four years old, to leave his kingdom exposed to the hazard of an unsettled succession: there being yet, in that monarchy, no rule clearly fixed by law or usage, in virtue of which the crown would descend, without controversy, to the nearest heir male. Interest absolutely closed the ears of the pope, and bigotry those of the king, against all the representations and counsels of this wise and honest minister, the most respectable monk of that age, or, perhaps, of any other. Together with the bull above-mentioned, Eugenius had sent to Bernard a brief, appointing him his vicar, to preach the crusade. The parliament, or the great council of the kingdom of France (for such were then the French parliaments) was convened, as usual, at Easter, in the year of our Lord eleven hundred and forty six. The place, appointed for it to meet in, was Vezelai, a town in the dutchy of Burgundy; and there the king, who in another parliament, held the Christmas before, had declared his desire of speedily taking the cross, resolved to put it in execution: which being made known to his subjects, the concourse at Vezelai was so great, that the assembly was forced to be held in a field. A pulpit was raised on the side of a little hill, which rose at the end of a large plain, and from thence Bernard after having read the letters of the pope, harangued with much eloquence, according to the purport of his commission; and added to the vehemence of his exhortations assurances of good success, which he threw out as a prophet under divine inspiration. The better to authorise his predictions, he pretended to work many miracles; which, together with the opinion conceived of his sanctity, gave an almost irresistible force to his words. He had scarce ended, when Louis rose up from his throne, and throwing himself at his feet demanded the

Ganfrid. vita
S. Bern. c.
iv. Odo
de Diog. in
t. xi. concil.
p. 1102.
Hist. Ludov.
vii. reg. a-
pud Du-
chesne, t. iv.
p. 413. See
also histoire
de Suger, l.
vi. p. 110.

Odo ut su-
pra, Ber-
nard. epist.
256. Gan-
frid. vit. S.
Bernard.
Fleuri hist.
eccles. l.
lxix.

Chron.
Mauriniac.
apud Du-
chetne, p.
388, 389.

which Eugenius had sent for him. Having received it with marks of great devotion, and placed it himself on his right shoulder, he mounted the pulpit, and harangued the assembly, or rather *preached* to them, with as much fervour as Bernard. The sermon of the king had no less influence over the minds of the audience, than that of the monk: all of them unanimously, with loud acclamations, desired to be enlisted into this sacred militia. Bernard had brought into the field a great number of crosses prepared for the purpose: but these not being sufficient, he took off his garment, and cut it into small pieces, of the same form, which he gave to all who asked for them; among whom were the earls of Flanders, of Toulouse, of Nevers, with most of the other great vassals and peers of France, and Robert earl of Dreux, the king's brother. The queen herself, the young, the gay, the lively Eleanor, either from a sudden start of devotion, or from complaisance to her husband, engaged to attend him in this dangerous expedition, without regarding the sad fate of the princess of Austria, or what her own grandfather had suffered, in the former crusade. Many ladies of her court were induced by her example to take part in a warfare so unsuitable to them; and some historians have affirmed, that they mounted on horseback, armed and accoutred like Amazons, and formed themselves into squadrons, which were honoured with the name of *Queen Eleanor's guard*. They also sent distaffs to all the young men of their acquaintance or neighbourhood, who had not yet enrolled themselves among the crusaders: by the shame of which they were driven to it: so that (as Bernard himself testifies in one of his letters) the towns and villages remained inhabited only by women and children.

See Mezerai
vie de Louis
vii. Histoire
de Suger.

V. Bernard.
epist. 246.

Of all the princes in France, or in the whole christian world, none was so naturally called upon to join in this enterprize, as Geoffry earl of Anjou. His father's son, not yet of age, was king of Jerusalem; his mother-in-law was regent. That they strongly solicited him to assist them in person, can scarce be doubted; and his resisting their importunities, as well as the impetuosity of that childish zeal, which bore down every restraint of prudence before it, is an extraordinary proof of the peculiar solidity and strength of his judgment. The unsettled state of Normandy was, I suppose, his excuse; and, by insisting upon that, he not only avoided the evils, which he might apprehend would ensue from this crusade, but secured the duchy to himself: for, while the king was abroad, he fixed his government there on the firmest foundations.

The earl of Blois was aged and infirm; which probably might be the reason, or at least the pretence, why he did not take the cross: but, that he might not incur the spiritual censures of Rome, by doing any thing to disturb the kingdom of France, while it was under the protection of that see, he adhered to the resolution, he had declared some time before, that he would not engage in any contest with Matilda or her husband, out of any regard, either to his brother, King Stephen, or his nephew, Prince Eustace. Thus did all these events contribute to serve the house of Plantagenet; as will hereafter more evidently appear.

The frenzy which Bernard had excited in France, rose to so monstrous a height, that, in a great council, held at Chartres, to settle all matters, relative to the crusade, the whole assembly elected the abbot for their general, instead of the king: an extravagance which I should hardly believe on the faith of any historians, if I did not

V. Bernard.
epist. 2. 6.
ad. Eugen.
pap. et epist.
Eugenii apud Ville-
fore, p. 411.

find it attested in some of the letters, written at that time, to pope Eugenius the third, by Bernard himself. Peter the hermit had indeed commanded a rabble, that had taken up arms at the beginning of the first crusade: but the destruction of all those who marched under his conduct was enough to prevent even the wildest fanaticks among the common people, from ever desiring to follow their example. How very wonderful is it then, that all the princes and nobles of the French kingdom, when a king renowned for his valour, and full of ardour for the cause, was actually at their head, should defer the command to a monk still less qualified for it than the hermit above-mentioned, who, before he retired from the world, had served as a soldier; whereas this man in all his life had never borne arms. But the strong persuasion he had infused into them, that God was with him, and that, like another Moses, he would lead them, by miracles, into the land of promise, made them overlook his natural incapacity, and think him the most proper head of an enterprize, to which they believed he had called them by the inspiration of the Holy Spirit. Nevertheless he was so far from the indiscretion of accepting this dangerous offer, that he would not even take the cross, nor go along with the army into Asia; but contented himself with executing the office enjoined him by the pope, which was not to engage in, but to preach the crusade.

Otto Frising.
de rebus gest.
Fred. I. imperat. l. i.
c. 37, 38,
39, 40.
Bern. epist.
323.

After having so ably performed his business in France, he went to the diet held at Spire by the emperor Conrade the third. The great fame of his sanctity, and miracles supposed to be worked by him there, as well as in France, with the disposition of the Germans to receive him as a messenger sent to them from God, which character he had the boldness to take on himself, rendered his success as general among them as among his own countrymen.

trymen. Indeed the infection of this kind of fanaticism had seized them with so much violence, that a vagabond monk, who, without any commission from the pope, or any pretence to supernatural powers, preached the crusade in the cities on the Rhine, and incited the people to begin the Holy war by a massacre of the Jews, was greedily heard by them, and not without difficulty suppressed by Bernard, after having raised great seditions, and occasioned the slaughter of many Jews in those parts. Happily for all the rest of that nation in Europe, the missionary of the pope, having more credit than he, confined him to his convent, and turned all the fury of the zeal he had kindled, against the Mahometans only. The emperor himself took the cross, and with him most of his vassals, except the Saxons, who excused themselves from any share in this expedition; because they had a Holy war to wage nearer home, against the pagan Sclavonians. Bernard afterwards pursued his mission, with the same fervour, the same arts, and the same prodigious success, over all the Low Countries, and would, in all probability, have extended it to England; where he might have found as much faith, as in the French, the Germans, or the Flemings, and no less zeal, or courage; if the distracted state of that kingdom, and a doubt to which sovereign he ought to address himself, Matilda, or Stephen, had not stopped him from applying either to the one or the other. Yet some of his agents, or the mere fame of the great armament making in France and in Germany, drew in many English; among whom were Roger de Moubray, earl of Northumberland, Waleran, earl of Meulant, and his half-brother, William de Warrene, earl of Surrey. On Septuagesima Sunday, in the year eleven hundred and forty-seven, a general assembly of the French kingdom was held at Estam-

Chron.
Norm. p.
982, 983.
sub ann.
1145, 1146.
1147. Gerv.
Chron. et
Hoveden,
sub ann.
1147.
Brompt. col.
1034.
S. Dunelm.
hist. contin.
per J. Ha-
gult. sub
ann. 1148.
Odo de Di-
og. de pro-
fectione Re-
gis Ludov.

l. i. sub. ann.
1147.

pes ; where Bernard having reported the resolution of the emperor and the states of the empire to join in their enterprize, it was deliberated what road they should take : a question, which experience had shewn to be indeed of the utmost importance. The ambassadors of Roger the first, king of Sicily, who was then at war with the Greek emperor, Manuel Comnenus, offered the king of France, on the part of their master, ships and all other necessaries for the transporting of his army by sea ; at the same time exhorting him, not to expose himself, in going by land, to the perfidy of the Greeks ; against whom they inveighed, as having secretly combined with the Turks, to ruin the Latin Christians, in former crusades. Many of the French approved this counsel, and strongly exhorted the king to accept the offer. For the length of the journey, from Constantinople to Syria, or Palestine, was in itself a terrible difficulty, to an army so numerous, and so ignorant of the countries, which they were to travel over ; and this difficulty was doubled, if their suspicions of the Greeks were not wholly groundless. Whereas their journey through Italy would have been safe and commodious ; and from the several ports of the kingdom of Naples, or Sicily, they might, in the summer, have easily passed to Joppa, Ptolemais, or some other haven of Phœnicia, which had been subjected to the crown of Jerusalem, by the fleets of the Pisans, Genoese, or Venetians. But this salutary advice was rejected. The chief objection to it was, that it would be impossible to transport so many troops in one embarkation, and that the embarking of them at different times would cause too long a delay. As for the apprehensions of perfidy in the Greeks, they were partly removed, by letters received from the emperor, but still more by the confidence, that the king

king himself, and all his army, had in their own strength, which they thought sufficient to subdue both the Greeks and the Mahometans, though they should be united; especially, with the aid of their German confederates: not well considering, that the greater their numbers were, the greater would be the difficulty of supplying their wants, in an enemy's country, or in that of a deceitful and treacherous friend. They resolved therefore to go by Constantinople; and this resolution was agreed to, by the emperor Conrade, who set out first, at the head of seventy thousand horse, all heavy-armed, besides a numerous infantry and light horse consisting of very good soldiers. The king of France followed him, about three months afterwards, by the same road, with a cavalry equal to his, and an infantry little inferior; it being agreed that they should unite their forces at Constantinople. But before the French could reach that city, Conrade had left it, out of impatience for action; or because he apprehended that two such vast armies, when joined together, could not have found the necessary means of subsistence; or, perhaps from an unwillingness to share with the French, either the advantages, or the glory, of the great conquests he hoped to make. His design was to go and besiege Iconium, the capital of Lycaonia, which was an open and fertile country: but trusting to guides that were given him by the Greek emperor, he was led into the deserts and straits of Mount Taurus, towards Cappadocia, where his army, being in want of all kinds of provisions, was destroyed in much the same manner, as the former crusaders, of whom an account has been given. For the sultan of Iconium, alarmed at the intelligence he received, that almost the whole strength of Europe, under its two greatest monarchs, was coming against him, had, for some time, made extraordinary preparations to resist them,

Gul Tyr.
l. xvi.
Gest. Ludov.
vii. apud
Duchefne,
c. 5, 6, 7, 8.

them, imploring assistance even from the furthest parts of the East. By this means he had collected a numerous army; who, being excellent archers, all mounted on horses very active and swift, and all light-armed, took advantage of the mountainous and difficult country the enemy were engaged in, and ruined their heavy troops, whose horses were rendered useless from hunger and toil, without ever exposing themselves in a close fight, which they were unfit for. Their manner of combating resembled that of the Parthians against the Roman legions, infesting the enemy with showers of arrows, and saving themselves by flight, when they were attacked, but presently returning again to the charge. Thus of this army, so formidable in its numbers, and in the valour of the men, hardly a tenth part escaped with the emperor, who had been wounded with two arrows, into the territory of Nice, then possessed by the Greeks; where having found a retreat, and the refreshments they wanted, they stopped awhile, to wait the arrival of the French king, who, they heard, was marching that way.

The faults committed by Conrade were quite inexcusable. He ought to have sent to the prince of Antioch, or to the king of Jerusalem, for guides, to conduct him from Constantinople to Iconium, and from thence into Syria; and not have trusted the safety of his army to the doubtful faith of the Greeks. But if his affinity with Manuel Comnenus, whose wife was sister to his, and the fair words of that emperor, who was skilful in the art of dissembling, made him at first neglect this caution; yet when he found, during his march over the lands of the empire, several proofs of hostile malice and treachery in the Greeks, it was a strange infatuation, that he should go on, in an enemy's country, without any distrust of his guides; that he should consult only them, as to the

the quantity of provisions, which it would be necessary to carry with him; and that, even when he began to discover their perfidy, he should guard them so ill, that they were able to make their escape, by night, and leave him in the midst of unknown mountains: all which we are assured of, by most authentic historians! With a conduct so absurd, it was impossible that his army should not be destroyed, unless a still greater miracle, than any of those which Bernard pretended to work, had been really done to preserve it.

But, while the imperial troops were thus sacrificed to the thoughtless credulity and simplicity of their leader, the French arrived at Constantinople. They and their king were received by Manuel Comnenus, with a great shew of kindness, under which he concealed the heart of an enemy, apprehensive of their force, and bent on their ruin. For, whatever doubt may be made of the treachery of his grandfather Alexius, it is certain, this emperor dealt most perfidiously with Conrade and the Germans, who had done nothing to excuse so foul a proceeding. But he acted on principles of political jealousy, and with an intention, as Nicetas Choniates, who was both his secretary and historian, declares, *that the calamities brought, by his means, on these armies, might be an example of terror, to fright their posterity from ever more settling foot on the lands of the empire.* In all probability, he would have suffered for it, by drawing on himself the arms of the French, if, during their abode at Constantinople, the injuries done to their allies had been known. But they were deceived by a rumour, which he artfully caused to be spread, that Conrade had taken Iconium. This raised such an impatience in Louis and his army, to share in the conquests which they thought the Germans were making, that they were advanced almost to Nice,

V. Gul.
Tyr. et Odo
de Diog. ut
supra.
Gest. Lud.
vii. c. 6, 7,
8.

Odo de Di-
og. l. iii. iv.
Nicetas, l. i.
c. 5. sect. 9.

V. Nicet. ut
supra.

V. Odo de
Diog. ut fu-
pra.

Nice, before the truth was discovered to them. Indeed, the bishop of Langres, a man of great sagacity, had, in the midst of these flattering and delusive reports, exhorted the king to make himself master of Constantinople; and had shewn that he might do it, without any difficulty, or risk to his army, by stopping the aqueducts which supplied the city with all its fresh water, or even by entering it at several breaches, which he had observed in the walls. The utility of this measure he proved by good arguments; and the justice of it he grounded on the behaviour of the Greeks in former crusades, from whence he inferred a necessary distrust of them now; and likewise on their being schismatics and hereticks. But the king was more scrupulous, in this point, than the bishop, and cou'd not be persuaded to turn his arms against a Christian prince, when he had vowed to employ them only against the Mahometans. He also alledged, that he had consulted the pope on this affair, before he set out, and that his holiness had not dared to declare it to be lawful. Such a consultation itself sufficiently proves, that the alarms of Manuel Comnenus were not ill founded. Fortunately for him, Eugenius the third and Louis le Jeune paid a regard to religion, as well as utility: otherwise it is evident, that reason of state would as much have induced them to begin and secure the conquests they meditated, by taking possession of Constantinople, and other towns of the Greek empire, that lay in their way, as it did him to assist the Turks in this war against the Latin Christians. Nor does it seem at all probable, that he could have resisted such an army, if they had attacked him; especially, as we are told, that the fleet of the king of Sicily was ready to co-operate with the French in the siege. But, the counsel of the bishop of Langres being rejected, they passed
over

over the Bosphorus, in vessels furnished by the emperor, who presently afterwards made them feel their dependence upon him, by forbidding any provisions to be brought to their camp, till all the nobility had taken the same oath of fealty to him, which those of the first crusade had been compelled to take to Alexius. The bishop of Langres pressed the king to resist this demand, by attacking immediately the cities of Asia which belonged to the Greeks: but this too was rejected; and all the nobles took the oath required by the emperor, except the earl of Dreux; who, rather than submit to such an indignity, led off his own vassals, and marched forward, at the head of them alone. The rest of the army soon followed; having been joined by a considerable body of troops, which the marquis of Montferrat and the earl of Maurienne, the king's uncles, brought to them by sea. They passed Nicomedia, when they were met by those guides, who had caused the defeat of the Germans, and who repeated to them the false report of Iconium's being taken: but, as soon as they came into the country of Nice, Frederick Barbarossa, the nephew of Conrade, who succeeded to him afterwards in the imperial throne, brought them a true account of his uncle's unhappy condition.

The consternation, which they were struck with, on receiving this news, was equal to the excess of their presumption before. They now began to perceive the vanity of Bernard's predictions. Louis immediately went, with all his principal nobles, to visit the emperor, who was encamped not far off. Nothing could be more moving than the first interview between these two princes. They embraced each other, with tears; and continued, for some time, unable to speak. The king was the first, who, with the most generous offers of friend-

Odo de
Diog. l. v.
Gell. Ludov.
vii. c. 8, 9,
10. Gul.
Tyr. l. xvi.

friendship and assistance, broke the melancholy silence; mixing respect with condolence, and endeavouring to make the emperor feel, that in pitying his fortune he honoured his person. Conrade replied with a proper gratitude, and not without dignity, in the midst of the profoundest humiliation. The first result of their conference was a resolution to act together, for the future. They next considered, what road it would be best for them to take, and determined to go, through Mysia and Lydia, to Smyrna and Ephesus; then to turn eastwards, and, passing the Mæander, advance by Pamphylia and Cilicia, to Antioch. But, before they had gone very far, so many of the Germans quitted the army, on account of the distress they were in, from the loss of their baggage, that the emperor, finding himself left with hardly any troops, thought it would be a stain to his honour and dignity, to march, like a private man, under the banner of France. He therefore embarked at Ephesus, with some of his nobles, and sailed from thence to Constantinople, about the end of the year eleven hundred and forty-seven, proposing to stay in that city till the spring, and then to perform his vow at Jerusalem. It seems very strange, that, after he had suffered so much by the perfidy of the Greek emperor, he should rather chuse to reside in the court of that prince, than in the camp of his good ally, the king of France! But he was received there with more kindness than in his prosperity, Manuel being contented with having reduced him to need his compassion.

V. Epist.
Suz. 39.
Lud. Reg.
ad Sugerum.
Odo de Di-
oc. l. v, vi,
vii.

In the mean time the French army departed from Ephesus, and came to the banks of the Mæander. Though they were still in the limits of the Greek empire, they found the Turks posted on both sides of the river; the emperor having allow-
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ed them to enter his frontiers without any opposition. At sight of the enemy, whom they did not expect, they halted, to consider, what course they should take. Their situation was now very perilous. The provisions they had brought were almost consumed: on one side they were shut up by a long ridge of mountains, upon which a numerous body of Turks were encamped, and on the other by the river, which they were told was not fordable; but, after a long search, they had the good fortune to discover a ford. There they determined to pass; but in executing this resolution, they were attacked by the enemy before and behind them. The king himself made head against those who fell upon his rear, and soon repulsed their assault, which was little more than a skirmish; while the earls of Flanders, of Champagne, and of Noyon, to whom he had given the command of his vanguard, advancing boldly at the head of their troops, got over the water, and vigorously attacking the Turks, who guarded the bank, entirely routed them, and took their camp. The French lost only one man in this action, namely, Milo earl of Nogent; but many of the enemy were killed or made prisoners. Probably the Turks, thus defeated, were only some bodies of irregular and light troops, which could not stand in a close fight against the French cavalry. Perhaps too, not out of fear, but prudence and good conduct, their leaders desired to avoid any battle with the French, where the latter could act without the utmost disadvantage; waiting to destroy them, as they had done their confederates, by safer means, and in such situations as should take from them the power of resistance. Whatever was the cause of this happy success, the joy it gave to Louis and his army was of a short duration. After they had furnished themselves with

v. epist.
 Lud. R. g.
 ad Suzerum
 inter Suz. c.
 20. 39. Otto

Gul. Tyr.
l. xvi.
Gest. Ludov.
vii. Reg. c.
12, 13.

viſtual and ſorage at Laodicea, they continued their journey, and came the next day about noon, to the foot of a mountain, the aſcent up to which was narrow and difficult. Their march was in two columns, the foremoſt of which was called the vanguard, and the hindmoſt the rear-guard. The command of theſe diviſions was given, by turns, to all the principal barons ; and it happened that the van-guard, which conſiſted of more than two thirds of the army, was led, that day, by Geoffry de Rançon, baron of Taillebourg in Poitou, who had orders to encamp on the top of the mountain ; it being the intention of the king that the whole army ſhould paſs the night in that poſt. But this nobleman arriving there without any impediment on the part of the Turks, who were not ſeen during his march, and finding that he had ſome hours of day-light before him, thought it would be better to encamp on the plain, which, as they looked down upon it, appeared exceedingly fertile and pleaſant. This advice being approved by the earl of Maurienne, he paid no regard to his orders ; but, without any notice having been ſent to the king, deſcended the mountain, and, when he came to the foot of it, marked out a camp in a very commodious and agreeable ſituation. The queen and all her ladies were with him ; and, perhaps, a deſire of gratifying them with better accommodations was the chief reaſon of his having committed this fault, againſt all the laws of military diſcipline. The rear-guard, encumbered with a great deal of baggage, and making no doubt of the van-guard's being poſted upon the brow of the hill, ſuppoſed that they had time to ſpare before night, and therefore marched very ſlowly ; ſo that the ſun was near ſetting, while even the foremoſt of them had ſtill ſome part of the aſcent to ſurmount. In the mean while, the Turks, who had kept by the ſide of them, at a ſmall diſtance

Vid. auſto-
res citat. ut
ſupra.

tance, being covered from their sight by some rising grounds, were informed by their scouts, that the two parts of the Christian army were separated so far, as not to be able to assist each other : upon which, with great expedition, they went and possessed themselves of the top of the mountain, where the French van-guard had been ordered to encamp. Then, having formed a line of battle, they suffered the rear-guard to advance unmolested, till their foremost squadrons had almost reached the summit of the ascent, and the rest were far engaged in the deep hollow ways which embarrassed the middle of the hill. Having thus drawn them on to inevitable destruction, they made a sudden attack upon them, first with showers of arrows, and then sword in hand ; which threw them immediately into the greatest confusion. For, as they expected no enemy, but imagined that the troops they saw over their heads, had been their own van-guard, they marched in a very careless, disorderly manner ; and many of them to ease themselves of the weight of their arms, had thrown them into the waggons that carried the baggage. All things concurred to aid the Turks, and render the valour of the French ineffectual ; the narrow defiles, in which they could not form any order of battle ; the roughness and steepness of the ascent, which made their heavy-armed cavalry useless ; the impediment of their baggage, which, being placed in the midst of them, hindered those behind from assisting the foremost ; and the inferiority of their number to that of the enemy : so that scarce seven thousand ; out of above thirty thousand, were able to escape ; the rest being all either killed or taken. Among the slain was the earl of Surrey, and forty other noblemen of the first rank. Louis did every thing, that a most courageous general could possibly do, to encourage his soldiers ; exposing his person, and fighting valiantly at the head of the foremost, till

V. auctores
citat. ut sū-
pra.

he had gained the summit of the hill ; where he desperately maintained his ground for some time, till all his bravest knights lay dead at his feet. He seemed resolved to die there too, with his sword in his hand : but some of his servants, seeing the enemy begin to employ themselves in plundering the baggage, took that opportunity, and led him away, almost by force, to a rock, where they hoped to secure him, by the benefit of the night, which was then coming on : but, being observed and pursued by a superior body of Turks, most of them were cut to pieces, and the rest put to flight. The king, in this extremity, climbed up a tree, which grew out of the side of the rock, and from thence raised himself up to the brow of the cliff. Several arrows were shot at him there by the enemy, from which he was preserved by the strength of his armour, and the boughs that covered and screened him : but when some of the Turks attempted to climb the tree, he clove their heads, or cut off their hands and arms, as they clung to the branches ; defending himself with such an obstinate bravery, that the rest of the party, being ignorant who he was, and afraid to lose their share in the spoils of the baggage, drew off, and left him. He remained on the cliff the greater part of the night, not daring to leave it, for fear of falling into the enemy's power. But they, loaded with plunder and embarrassed with the multitude of the prisoners they had taken, thought it advisable to retire, when it began to grow dark ; lest the French van-guard should return, and fall upon them in that disorder. Nor were their apprehensions ill founded. For, as soon as Louis saw his rear-guard attacked, rightly conjecturing from what this unexpected disaster had happened, he sent Odo de Deuil, his chaplain and secretary, to try if he could discover some other path in the mountain, leading from thence to the plain, and

go by that way, to inform his vanguard of the peril he was in, and order them to hasten to his assistance. That monk (whose memoirs I have principally followed) performed his commission unperceived by the enemy : but, having been obliged to take a great circuit, he arrived too late to prevent the defeat of the rear-guard, by any succours from those to whom he came. The baron de Taillebourg and the earl of Maurienne set out indeed, as soon as they heard the news he brought, with all the best of their troops, and re-ascended the mountain, as fast as the steepness of the ascent would permit : but, before they could reach the top, they met the king. After the enemy were retired, some of his rear-guard, who had escaped from the slaughter, by hiding themselves in the caverns of the hill, happened to pass very near him. Finding them to be Frenchmen, by the language they spoke, he made himself known to them. One of them immediately furnished him with a horse, on which he rode through the heaps of his dead or dying subjects, and wandered, some time, in the intricate paths of the mountain, seeking his way, in the darkness of the night, without any guide, and under continual apprehensions of meeting the Turks, till he discovered the fires of his camp on the plain. These serving to direct him, he descended the hill, about the middle of which he fell in with the cavalry, that was coming to his aid, under Geoffry de Rançon and the earl of Maurienne. They, with mixed sentiments of joy and of shame, received and conducted him safe from thence to the camp ; where his arrival dispelled some part of the terror, which had seized the queen and the other ladies. But notwithstanding the consolation they found in his safety, the whole camp was now a scene of affliction and mourning. In every tent, a near relation, or

Odo de
Diogn.: l. vii.

a dear friend, was bewailed. Their sorrow was aggravated by the great danger they were in of wanting provisions ; most of the stores they had collected at Laodicea having been taken by the enemy, together with the baggage of the rear guard. It was still twelve days march from thence to Attalia, the capital of Pamphylia, which was the first place, on their road, where they could hope to receive any assistance or refreshment ; and they were informed that the enemy had destroyed all the forage, in the country through which they were necessarily to pass. These difficulties, added to the grief and the ignominy of such a defeat, raised an universal resentment against Geoffry de Rançon, who, by the breach of his orders, had occasioned their misfortune. All the army, with one voice, demanded his death, and, doubtless, he ought to have suffered a capital punishment : but he was saved by the clemency of Louis and the warm intercessions of the earl of Maurienne, who, being conscious that he had himself a share in his fault, was extremely solicitous to procure him a pardon. Indeed the relaxation of military discipline, which was one cause of the destruction of so many armies in these expeditions, arose from the feudal government. For the great barons were accustomed to so much independence, that they would hardly obey their leaders, who were obliged to treat them with such regards, as much impaired the force of authority necessary to keep an army in order. Louis having yielded to his uncle's entreaties in favour of the culpable baron de Taillebourg, took however some care to secure himself, for the future, from suffering again by a similar disobedience. Instead of permitting all his principal barons to lead his army by turns, as they had hitherto done, he now conferred the perpetual command of his vanguard, with a superior authority over the whole, upon an old

old officer of great merit, whom the historian I follow names only Gilbert, without giving him any additional title of honour. The same writer informs us, that he was elected by a majority of the votes of the army, whom the king was pleased to consult with, in this affair. The conduct of the rear-guard was given to Everard des Barres, master of the Temple, who, with a troop of his knights, had joined the army not long before ; but he was to act under the orders of Gilbert, whom Louis declared he would himself submit to obey ; and whose directions that prince followed, in forming a strong body, out of the best of his forces, both horse and foot, which he commanded in person, and placed between the van and the rear-guard, for the defence of the baggage, and to succour, occasionally, either the one or the other. All, who had escaped by flight from the late action, were now come in : but many of these having lost their horses, they, with some bands of foot, were posted in the hindmost ranks of the rear, and armed with bows and arrows ; that when the Turks, as their custom was, should make their discharge at a distance, these archers might annoy them in the same manner, and prevent their being secured by the suddenness of their flight. This good disposition had such an happy effect, that, being attacked by the enemy in the first days of their march, they not only repulsed them without any considerable loss to themselves, but cut to pieces a great part of their army ; which so daunted the rest, that they left off the pursuit : and the French continued their journey in quiet, for several days, through a most difficult and dangerous country. But, though they met with no enemy, they suffered grievous hardships, by the want of provisions for themselves and their horses : against which calamity they could find no resource, but to feed on

Odo de
Ding. l. vii.

the latter ; preserving only the best and strongest, by some scanty supplies, which they procured, at a great price, from the avarice of the neighbouring Greeks. Thus they, at last, came safe to Attalia, a city of the Greek empire, but tributary to the Turks, whose territories bordered upon it every way, except to the sea, on the coast of which it was situated. The governor durst not refuse the king of France and his army admittance : but, that he might deliver himself from them as speedily as he could, he offered them ships to convey them into the dominions of Antioch by sea. The proposition was relished by Louis and his council, the passage being much shorter, and less dangerous, by sea, than by land ; especially, as the cavalry was almost dismounted. It was this circumstance, made it seem practicable to procure shipping for them ; men being much more easily transported than horses : but, after a delay of five weeks, the king had the mortification to find that one half of the number of vessels, which the governor had promised, was wanting. His army suffered extremely, by the great scarcity and dearness of food ; an evil, which he feared would increase every day that he remained in that city. He therefore determined to embark with his nobles and men at arms, leaving his infantry to wait till more transports could be obtained. But they, being distrustful of the faith of the Greeks, begged permission of the king to endeavour to force their passage by land. Louis, though unwillingly, granted their request ; and having supplied them, as far as he was able, with money and other necessaries, put them under the command of two noble chiefs, who were willing to accept the dangerous charge, Archambaud, earl of Bourbon, and Theodoric earl of Flanders. He also purchased horses for several of his knights, who, wanting room in the ships, were left to go with
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V. epist. 39.
Lud. ad Sug.

Odo de
Diog. ut supra.

V. auctores
citati. ut
supra.

the foot. Lastly, that nothing in his power might be wanting to serve these unhappy men, he concluded a treaty with the governor of Attalia, and with an embassador of the Greek emperor, who came to him there, by which they agreed, that, upon his paying to them five hundred marks, they should furnish him with guides and a convoy of cavalry, to attend on his forces during a part of their journey; and suffer all the sick to remain in the town, till they should be able to bear a voyage by sea. When all this was performed, he set sail for Antioch, carrying with him his queen and her whole train of ladies. But a treaty with those in whom it was impossible to place any confidence was a slender security: nor could he reasonably hope, that this part of his army would ever join him again, by the way they proposed; it being a march of forty days, through an enemy's country. The event proved as fatal, as the undertaking was desperate. Before they had gone many miles, they were attacked on their march, by a much superior number of Turks; and though they fought very bravely, and beat off the enemy, the Greek guides and convoy, apprehending more assaults from other armies of Turks, absolutely refused to go any further. The French therefore were compelled to return to Attalia, and with great difficulty obtained permission of the governor to encamp under the walls, till ships could be procured, to convey them to Antioch. In this situation they were harrassed by frequent attacks of the Turks, with whom the townsmen perfidiously maintained an intelligence, and, being very ill supplied with provisions, died in great numbers by famine and sickness. About four thousand of the bravest among them, seeing their countrymen perish so miserably, and preferring, as men under a grievous distress are too apt to do, any evil to those they endured, attempted to go by land: but they were surrounded

Vid. *auſte-*
res citat. ut
ſupra.

surrounded in their march by an army of Turks, who offering to take them into their pay, if they would change their religion, three thousand of them accepted that ignominious condition, and the rest were made captives. All those who had remained under the walls of Attalia were destroyed, by different ways, except the two earls, their leaders; and a few knights; who, when the army had returned to that city, despairing of ever performing the journey by land, embarked in a merchant ship, which they found in the port, and were safely transported to the mouth of the Orontes, about five leagues below Antioch. The king of France, and all whom he carried with him by sea, had arrived there some time before, and had been received with great honours, by Raymond de Poitiers, Eleanor's uncle, who having been educated in the English court by king Henry, had gone from England into Palestine, upon an invitation sent to him by Fulk, earl of Anjou and king of Jerusalem, to marry Constantia, daughter and heiress to Boamond the younger, and niece to Melisenta, the wife of that king. By this match he obtained the principality of Antioch, to which Cilicia and Tarsus were then annexed: but these were soon taken from him by the Greek emperor, John, the son of Alexius, to whom he also was compelled to do homage for Antioch. Nevertheless, after the death of that prince, he held this state independent of Manuel, the son of John, and was accounted the next in power and dignity to the king of Jerusalem. Upon the coming of the French he conceived no small hopes of enlarging his territories. Louis had still an army, composed of all the best gentry of France, who, being refreshed and remounted, made a most formidable body of cavalry, and, joined to the forces which Raymond could himself bring into the field, might have been able to perform ve-

V. Gul.
Tyr. l. xiv.
c. 4. §. 20.
24. 30.

ry glorious exploits. That prince had the highest reputation for courage and military abilities, of all the Latin Christians in Syria or Palestine; nor was he less famed for the talents of address and insinuation, which he now exerted, to persuade the French king to turn his arms, in conjunction with him, against Aleppo, or some other town, adjacent to his frontiers; hoping, that whatsoever they should conquer from the Turks, would afterwards be annexed to his principality. Full of these schemes, he not only made court to Louis, but, by the most generous presents and the most winning manners, endeavoured to gain all the barons in the army to favour his purpose. He more particularly sought to ingratiate himself with the young queen, his niece; thinking that, possibly, she might have more influence over the mind of her husband, than any of his counsellors: and he succeeded so well, that she became very warm, and perhaps too warm, in his interests. But Louis pertinaciously refused to engage in any expedition, till he had performed his vow at Jerusalem, or to take any resolution concerning the plan and conduct of the war, before he went thither. Raymond, who knew that the queen of Jerusalem, and the lords of her council, would desire to employ the French in other undertakings, of less advantage to him, was much disgusted, and exceedingly relented this disappointment. But while he was angrily complaining about it, and labouring to engage the barons of France to prevail upon their master to alter his mind, that monarch, on a sudden, assembled his council, and communicated to them a violent apprehension, which he had conceived, of a plot formed by Raymond, to take from him his queen, who, he supposed, was herself consenting to the rape. All his counsellors, much surprized, and either alarmed at the danger, or fearing to oppose the bent of his mind in an affair

V. Neubrigen. l. i. c. 21. et Gul. Tyr. l. xiv. c. 21.

Gul. Tyr. l. xiv. sect. 21.

Gest. Ludov. vii. reg. c. 15. Gul. Tyr. l. xvi. § 27.

See Petr
Dan. Louis
vii. sub ann.
1158. V.
Gul. Tyr. l.
xiv. c. 21.

fair of this nature, advised him to go that night out of Antioch, and carry Eleanor with him, however unwilling she might be to depart, without any notice given, either to her, or her uncle. This was accordingly executed : he got one of the gates to be opened to him at midnight, bore off the queen to the main body of his army, which was encamped without the walls, and marched from thence, as hastily as he could to Jerusalem. All we know further of the grounds of so strange a proceeding is only from uncertain reports and conjectures. Some have accused Eleanor of an amour with her uncle. He was indeed (as we are assured by the archbishop of Tyre, who knew him well) the handsomest prince of his time, and more amiable still by the charms of his wit and demeanor, than by his beauty ; which, added to the lustre of a great reputation for personal valour, might well seduce a lady's heart : nor was that princess less capable of inspiring than of feeling a violent passion. But one cannot easily believe that he would attempt to debauch his niece, much less to take her openly away from her husband, whose power he was very unable to resist. It is still more incredible, that she could so totally forget her own dignity, and all the pride of her sex, as to be willing to descend from the throne of the first kingdom in Europe, and live with him as a mistress, while another lady, the princess Constantia, still kept possession of his bed, as a wife. To make room for her there, by a divorce, was not in his power : for, notwithstanding the wonderful and most scandalous easiness of the Roman see, in that age, with regard to the dissolving of marriage, the pope would not have given so monstrous a sanction to adultery, rape, and incest, all complicated together, upon any pretence ; especially where so great a king was concerned. And by divorcing his wife, if it had been in his power, or ridding himself of her, by
any

any other means, more practicable, and more wicked, Raymond would have lost his principality too : for he held it in right of his marriage. According to Matthew Paris, it was not on suspicion of an intrigue with this prince, but with a Mahometan, whom he does not name, that the fame of Eleanor suffered. And Vincent de Beauvais, who wrote about the same time, imputes the suspicions, which Louis conceived of her, while he was in the East, to her having received some presents from Saladin ; meaning, I presume, the great prince of that name, who, about thirty years afterwards, conquered the holy land. But this was impossible : for that sultan was not then eleven years old. Nor does he ascribe her divorce to this alone, but to a general charge of incontinence ; which is also brought against her by a contemporary writer, of the greatest authority, William archbishop of Tyre. Yet the latter has left his readers as much in the dark, as all the other historians who lived in those days, with regard to the person she intrigued with. Some of the most eminent modern writers have affirmed, that the lover, whom Louis was jealous of, was a young Turk, born in the city of Antioch, and converted to Christianity a little before this crusade. They call him Saladin, and most of them tell us, that the queen was resolved to forsake her husband, and go off with this galant, by her uncle's advice. Such a story does not seem to merit the regard that they have given to it, especially not being vouched by any writer who lived in those times. Upon the whole, it is probable, that the jealousy of the king had no other object than Prince Raymond himself, and was ill founded ; having only been excited by some youthful levity in the queen's behaviour, and by the warmth she expressed for the interests of her uncle ; or, at most, by an inclination, which she might discover, to stay with him at Antioch, while Louis was in Palestine, and

V. Matt. Paris, sub ann. 1150.

Speculum historiae, c. 128.

Gul. Tyr. l. xvi. c. 27.

Dupleix & Mezerai grande histoire.

Voltaire histoire des croisades. Histoire de Suger l. vi. Vertot, rev. de Malthe. Nouvel. abrégé chronol. de l'histoire de France, et alii.

V. Gest.
Lud. vii.
reg. c. 15. ap.
Duchefne.

Gul. Tyr.
l. xvi. c. 27.

and which he might encourage, without meaning to cause a total separation between her and her husband. This opinion is well warranted by the words of an historian who lived in that age. And the same writer adds, that there were many who blamed the king, for having, by the manner in which he left Antioch, disgraced the royal dignity: which is also confirmed by the archbishop of Tyre. Raymond was of a passionate and fiery temper, and might, in his anger, throw out some hasty words, which alarmed Louis, whose mind was liable to sudden impressions, and violent in all its motions. But to imagine, that the prince could have meditated, either the rape of the queen, or any attempt against the life of the king, is to suppose him a madman: for he must by such outrages have drawn on himself inevitable destruction; as the whole Christian world would certainly have made themselves the avengers of Louis, and he could expect no assistance even from his own subjects. In all other parts of his conduct he appears a man of good sense, and not so given up to the power of his passions as to have been absolutely deaf to the voice of his reason. When therefore the counsellors of Louis advised him to carry his queen out of Antioch, in the manner he did, they only flattered his humour, or were infected with a vain and imaginary fear, caught on a sudden from him, without weighing the arguments of improbability, which opposed the belief of what he urged. Indeed there are so many instances, in all times, of ministers authorising the follies of kings from mere complaisance, that I rather should impute this advice to that motive, than to an error in judgment. As soon as Louis arrived at Jerusalem, he wrote to Abbot Suger a letter of confidence on this extraordinary business. It never was published: but the answer, which that minister made to it, we have, and it is in these words; " With regard to the queen

“ queen, your consort, I presume to recommend V. Suger
epist. ap. Dⁿⁱ-
chefne, epist.
 “ to you, under submission to your own pleasure,
 “ that you should conceal the rancour of your 57
 “ mind, *if any there be*, till God shall give you a
 “ safe return to your kingdom, when you may
 “ take the most proper measures, in this and
 “ other affairs.”

The words, *if any there be*, indicate, I think, very plainly, that Louis had no proof of guilt in Eleanor: for, had there appeared against her any thing more than suspicion, Suger could not have expressed a doubt, whether he retained his resentment. And, from all that is said by that minister on this subject, one may judge that he did not think the suspicion well founded. He could not say more, without directly blaming his master, for the steps he had already taken upon it: but this was enough to stop him from further acts of that nature, and to gain time for instilling into his mind such advice, as he would not have endured before his passion was cooled by reflexion. The effect was so good, that he not only continued to live with the queen, while they remained in the East. without any open marks of hatred or disgust, but had a child by her, who was born about five or six months after his return into France: which appears to afford a strong presumption, that he was not convinced of her having dishonoured his bed: for had he been so, it hardly can be supposed, that he would ever have admitted her to it again.

When the French arrived at Jerusalem, they A. D. 1148.
 found there the emperor Conrad, with whom
 Louis, after having staid some time in that city, in
 order to pay his devotions at all the holy places,
 went to Ptolemais, or Accon, where a great coun- V. Gul. Tyr.
l. xvii. c. 1,
2, 3, 4, 5,
6, 7, 8.
 cil was held, to concert a plan of operations, for
 carrying on the war against the Mahometans.
 There were present, besides the princes and no-
 bles

bles of France, two legates of the pope ; one of whom had attended the camp of the emperor, and the other that of Louis ; Henry duke of Austria, the emperor's brother ; Frederick duke of Suabia, his nephew ; with many other nobles of Germany and of Italy ; the young king of Jerusalem ; and all the principal lords of his kingdom. After some deliberation, they unanimously resolved to lay siege to Damascus. Their forces united were sufficient to take that city, and they began very happily : but (as if a spirit of infatuation had seized all those who engaged in this war) they changed their attack, when it was just on the point of being successful, and deprived themselves of the benefit of provisions and water, which they had been plentifully supplied with, in their former situation, but found no possibility of procuring on the side which they had removed to. Nor could they return, when they discovered the ill consequences of what they had done ; because all the approaches were seized by the enemy, and strengthened with barricades, and other defences, which had been wanting before. It is said, that this error in their conduct was owing to treacherous counsels, given by the nobles of Palestine ; who, having notice of an intention, in the chiefs of the crusade, to deliver the city, when taken, to the earl of Flanders, as a state independent on the kingdom of Jerusalem, were so much offended, that they rather wished to have it continue under the power of the Turks. Another reason assigned for it is, that they were influenced by the prince of Antioch to defeat this undertaking, because he maliciously desired to disgrace the French king. And a strong suspicion prevailed of their having been bribed by the Turks of Damascus. But these reports were all uncertain ; nor (even admitting the truth of them) do they much serve to dis-

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pate the emperor and his royal confederate, who certainly should not have altered the plan of their siege, without a more careful attention to what might ensue from it, in deference to any opinions or counsels.

The ill success of this enterprize, and the jealousy, which very naturally arose from thence, in the minds of the crusaders, that they were betrayed even by those they came to assist, made them unwilling to undertake any other. The emperor first departed, and returned home by sea, without any further disaster; and after him most of the Germans and the French; but Louis, desiring to do some act, which might serve the Christian cause in those parts of the world, lingered in Palestine as long as he could; till the seditious cabals of the earl of Dreux, his brother, against him, in France, and the pressing instances of abbot Suger, obliged him to return to his kingdom. He sailed to Calabria, and from thence went to Rome, where he very eagerly proposed to Eugenius the Third, who was still in that see, the sending of Bernard to preach another crusade, in which he declared himself willing and ready to join. This appears almost incredible: but the firmness of a hero is not so invincible as the obstinacy of a bigot. Louis had a mixture of both in his mind, especially of the latter, and imagined that the blood of his innocent subjects, shed by him at Vitry, would be washed off from his soul by that of the Infidels. Even the shame of having failed in this expedition impelled him to another, wherein, by pursuing a different plan of conduct, he hoped to recover the honour he had lost. But other princes were far from being in the same disposition. All Europe was full of loud complaints against Bernard. Two hundred thousand men had miserably perished in this crusade, which he had encouraged with prophecies of the most happy success: nor had one

V. Suger ep.
57. 94. 96.
Gest. Lud.
viii. c. 27.
Villefore vie
de Bernard.

V. Bernard.
de considera-
tione ad Eu-
genium
pap. l. ii.

See Vertot
hist. del'or-
dre de Malte,
l. i. p. 101.

foot of land been gained from the Infidels, or the least service done to the Christians in Asia, for whose benefit it was undertaken. One cannot therefore wonder, that the public resentment should fall very heavy on the chief author of such a fatal delusion. The apology, which he made for himself in a letter to Eugenius the Third, was by no means sufficient. He pleaded there, that he had only preached the crusade in obedience to the orders received from that pope. But he did more than preach; he prophesied, and pretended to miracles. The pope did not command him to take on himself the character of a person inspired by God, nor to draw in the people by false predictions, to which he gained credit by an appearance of miracles equally false. For, to suppose that true miracles were really done by him, in confirmation of his having received revelations from God, which the event proved to be false, is such an absurdity, and such an impiety, as one would think superstition itself should reject. His plea, that the vices of those who had engaged in this expedition offended God, and thereby changed the success which he had predicted, is frivolous. For (as the judicious historian, Vertot, well observes) *if he had been endowed with the gift of prophecy upon this occasion, he ought, by that supernatural light, to have known, that they would offend God, and therefore would be punished by all the misfortunes, with which they actually were overwhelmed, instead of those victories, which he, as God's minister, had made them expect.* It does not even appear from the evidence of any one contemporary author, that, during the course of this holy war, the enormities of the Germans and the French were so great, as to deserve so grievous a punishment. The piety of Louis was most sincere; nor is he accused of any vice: and Conrade behaved himself, in every respect, like a good and religious prince; which is the

the character given of him by every historian who has treated this subject. Their armies were kept by them in at least as good order, and practised all duties of morality or religion, with at least as much strictness, as those of the first crusade, which had been more successful. But even allowing the fact, that these were more vicious, the consequences drawn from it in justification of Bernard cannot be admitted. His predictions were *positive*, and under no *reserves* or *conditions*. Upon the whole, he had no excuse, but that, according to the general faith of those times, he thought it expedient and lawful to use *pious frauds*, for the advancement of a good and holy design, such as he took this to be. It was very natural, therefore, that the many sufferers by this fraud should be extremely incensed against the impostor, and against the pope himself, for the share he had in that ruinous enterprise, which had almost depopulated the best part of Europe. Eugenius, knowing this, contented himself with admiring and praising the zeal of Louis, and the ardour which he expressed for another crusade: but no other was formed till after Jerusalem had been conquered by Saladin, when that monarch again took the cross, with Henry the Second, king of England, the emperor Frederic Barbarossa, and many other princes, as will be shewn in the latter part of this history. He and the queen of France arrived safe in that kingdom, about the end of autumn, in the year eleven hundred and forty nine. Probably the earl of Meulant and Roger de Moubray returned in their company: for we are told, that soon afterwards they both came to England, and that the latter was celebrated above all his companions, for having vanquished an emir, or prince of the Turks, in single combat.

V. Gul. Tyr.
l. xvii. c. 2.

V. Sager
epist. 100.

V. S. Danel.
hist. contin.
per J. Ha-
gust. sub
ann. 1148.

H. de Hunt.
l.viii. f. 226.
sect. 2030.
Chron.
Norm. sub
ann. 1147.
Brandæo
monarch.
Lusit. par.iii.
Manuel de
Pari hist.
Portug.

Æ D. 1146.

But of all the adventurers, who had engaged in this crusade, none were so successful, as a fleet of private men, about fourteen thousand without reckoning the sailors; most of which number were English, but joined to some Normans, Flemings, and others, who associated themselves under several chiefs, or under one of so little distinction, that his name is not mentioned in the contemporary historians. They set sail from England for Ptolemais or Joppa; but were driven by storms into the river Tagus, just when Alphonso the First, king of Portugal, was besieging Lisbon, which was still possessed by the Moors. He was much startled at first, upon seeing this fleet, which he supposed came from Africa, or from some of the Mahometan princes in Spain, to the relief of the town: but when he found who they were, his fears were changed into joy; he went himself to receive them, and, with many caresses, besought them to assist him in conquering from the Infidels so important a place; which would be as meritorious a service to Christendom, and entitle them as much to all the indulgences granted by Rome, as making war against the Saracens or Turks of the East. They agreed to his reasoning, and, having joined their forces to his, took the city, after a long and brave defence. Thus was this capital of the kingdom of Portugal conquered from the Moors, in the year eleven hundred and forty seven, chiefly by the aid of the English and Normans. Alphonso, assisted by the same valiant allies, made himself master, soon afterwards, of other districts belonging to the Moors in those parts; which successes confirmed to that illustrious founder of the Portuguese monarchy the throne he had been raised to about ten years before.

But, while some of the English were thus maintaining the fame of the nation in foreign lands, England was miserably torn and distracted with
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all the rage of civil war, suffering still more by that inward calamity, than the Empire or France by the crusade. A contemporary writer says, that *more than a third of its inhabitants perished*. Even those English who died in Asia, fighting for a cause they supposed to be holy, were not so unhappy, as those who remained spectators or instruments of the ruin of their country, contending rather for the choice of a tyrant, or for the superiority of one faction over another, than for any salutary change in the government.

Vid. Hist.
Ludov. vii.
Duchefne.

The joy that Matilda felt, from the victory won by the earl of Gloucester at Wilton, was quickly damped, by the news she heard of the unfortunate death of Milo earl of Hereford. After having escaped the greatest dangers of war, which no man ever braved with more intrepidity, he was accidentally shot through the heart by an arrow, which one of his own knights, whom he took out to hunt in company with him, aimed at a stag, that passed between them.

Gest. Steph.
Reg. p. 960.
963.
Gerv.
Chron. sub
ann. 1143.

It seems as if Providence, by ballancing thus the success of Matilda with this unexpected misfortune to her party, of which that gentleman had been one of the strongest supports, meant to prolong the punishment of the nation, which, by an universal corruption, had drawn on itself the scourge of this civil war. The complicated guilt of perjury, faction, and shameless venality, lay heavy upon it, and was naturally and justly followed by a general ruin. Besides all the mischiefs described before, a terrible famine now raged in most parts of England; the war, and the many vexations that the people endured, having occasioned, for some years past, a failure of tillage. The flesh of horses and dogs, with other unusual and loathsome food, which they were taught to use by dire necessity, became the chief support of the poor; infinite numbers of them died of hunger,

Gest. Ste-
phan. Reg.
p. 961.

or of epidemical distempers, produced by bad nourishment. For though in this year, eleven hundred and forty three, the season was favourable, and wherever the lands had been tilled the crop was good, it was in many places left standing, and suffered to rot on the ground, for want of hands to cut it down; because most of the husbandmen had fled with their families out of the realm, and others, having been forced to quit their dwellings had built wretched huts, in church-yards, or round the walls of the churches, hoping to find a sanctuary there, against the oppressions and cruelty of the soldiery; and not daring to depart from thence to their labour: so that they not only suffered the present famine, but continued that calamity to the following year. These miseries were indeed, more grievously felt in those parts of England, which still remained under the dominion of Stephen, or were the theatre of the war between the two parties. For, after the victory gained at Wilton, the earl of Gloucester took care that the counties, in which his sister's authority was quietly settled, should not be harrassed by disorders from his own troops, or any unnecessary exactions. But of this advantage the sudden change of affairs, which happened not long afterwards, deprived them again, and made them as miserable as the rest of the kingdom. The young prince, by whom Providence designed to deliver them from all the evils, was not yet mature for such a work; and neither Stephen, nor Matilda, was fit to perform it. Perhaps no civil war was ever carried on, for so long a time, with so little affection, or esteem in either of the parties, for the sovereign whom they fought for, or with so much indifference to the good of the public. It had been, for many years, a mere contest of interests, kept up by hatred that they bore to each other, by not acknowledging their common interest, and by submitting to the will of the stronger party.

And thus it continued, till Henry Plantagenet appeared on the scene, and till the spirit of party, fatigued at length, and exhausted by the violence of its own fury, began to subside, and yield to a general desire of tranquillity, under the authority of a king, who knew how to make himself both feared and beloved.

After the disgrace that the arms of Stephen had suffered at Wilton, he kept himself entirely upon the defensive: but, during the spring of the year eleven hundred and forty four, he either found, or made, by a groundless suspicion, a new and dangerous enemy, in one of his greatest and most intimate friends, Geoffry de Magnavilla, to whom, with other grants, he had given the earldom of Essex. This nobleman had been always attached to his service; and no other was more capable of serving him well: for he had a most intrepid courage, and an understanding which conducted that courage with prudence; great skill in the art of war, and no less sagacity in matters of state. His morals were perfectly suitable to the times. He regarded the king more than the publick, and his own interest more than the king; was utterly void of religion, and had a heart steeled by nature against any tender checks of humanity. Thus qualified to advance himself in civil commotions he gained the highest rank in the army of Stephen, and a principal share of the government; acting as his lieutenant over all parts of the kingdom, wherein the power of that prince was acknowledged. The superiority of his genius gave him such an ascendant, that his commands, in most places, were better obeyed than his master's. But some unkindness had arisen between him and the queen, occasioned by his detaining the princess Constantia, espoused to Eustace, in the tower of London, of which he was governor, when she was desirous to remove her from thence: which he did, either to

A. D. 1144
Neubrigensis, l. i. c. 11.
Gervase, et
Huntingdon,
sub ann.
1144.
Gest. Steph.
Reg. p. 963,
964.

keep so important a charge in his own hands, or from an opinion that he could not be justified, in letting her depart from that place, where the king had been pleased to lodge her under his care, without having an express command from himself. This seems the most probable; because, upon receiving an order from him, he gave her up. And, though in the desperate state of Stephen's affairs, after the battle of Lincoln, he, with all the other noblemen who served that prince, except William of Ipres, submitted to Matilda, and not only was confirmed by her in his earldom, but received additional favours (as appears by two charters granted to him that year;) yet he soon left her, and returned to the party of the king; who continued to employ him in posts of the highest trust, for more than three years. Nevertheless, he now gave ear to some of his favourites, who envied this great earl, and suggested suspicions, as if, besides his having arrogantly usurped to himself too large a share of sovereign power, to the apparent dishonour of the king, he meant to betray him to the empress. It does not appear, that there was any evidence of such an intention in him, except popular rumours, and the remembrance of the dispute between him and the queen, which was revived at this time, and helped to exasperate his master against him. While he attended the court of that prince at St. Albans, in a parliamentary council, he was, without legal process, upon a general charge of treason brought against him by some of the barons, thrown into prison, and threatened with an ignominious death on a gibbet, if he did not give up to the king the tower of London, and his castles of Walden and Pleshy in Essex. He could hardly be induced, by the terrors of death, to submit to these conditions, imposed upon him so roughly, and with so much dishonour: but, being overcome by the persuasions of some of his friends,

friends, he yielded at last, and was released: after which he very soon declared for Matilda, as Stephen had certain!- great cause to expect. The cabal of his enemies in the court of that king, who, by driving him out of it, had served their own purposes, saw this with pleasure: but the party in general was greatly alarmed at it, expecting much mischief from a man of his abilities, so highly provoked, and then set at liberty to pursue his revenge. His actions justified these apprehensions. For, besides his own vassals, he now gathered about him, from all parts of England, a band of robbers and outlaws, who were then very numerous; both from the licentiousness and the misery of the times; and having thus formed a considerable army, he maintained it by pillaging religious houses and churches, and by all other acts of violence, rapine, and cruelty, that men so hardened in wickedness could commit. The town of Cambridge was sacked by them, and the country about it laid waste, before Stephen could come up with forces sufficient to make head against them. At his approach, the earl of Essex retired from Cambridge to the neighbouring fens; whither the king durst not pursue him, but contented himself with only building some castles, in order to check his incursions; and then returned. While he was employed in other parts, the earl made a furious attack on those castles; Hugh Bigot, earl of Norfolk, confederating with him in that attempt. It seems very surprising, that this lord, by whose testimony, falsely and corruptly given, Stephen had been assisted to gain the crown, and who had therefore reason to think himself irreconcilably ill with Matilda, should take a part so repugnant to all his former conduct. I find no cause assigned for it in any historian: but those times were much accustomed to levities of this kind; the barons changing sides, upon the least discontent, without any sense of

V. auctores
citant. ut
supra.

shame; and the very idea of loyalty seeming to be effaced from most of their minds. It appears, indeed, that Hugh Bigot intended rather to act *against Stephen*, than *for Matilda*; keeping himself in a state of independence, within the counties of Norfolk and Suffolk, where his chief power lay. Perhaps the earl of Essex might have the same views: for, as that nobleman neither went to the court of Matilda, nor received from her any new confirmation of the grants, which she had made to him before, and which he had forfeited by returning to Stephen, it looks as if he had never negotiated with her after that time, and as if, even now, she was not cordially reconciled to him, but distrusted and desired to keep him at a distance. In that case he would naturally fall in with the plan pursued by Hugh Bigot; and, when joined together, they might hope to form a *third party*, which would become strong enough to overpower both the others, or at least to turn the scale in favour of that, to which it finally should incline. Several reasons induce me to believe, that this project was concerted between the two earls: but it was defeated before it came to maturity, by one of those accidents, which blast at once the fairest hopes, and overturn the best laid designs of ambition. While the earl of Essex was besieging one of the castles near Cambridge, which Stephen had erected, and after he had made a successful attack, which brought him very nigh to the foot of the rampart, the weather being hot, and thinking himself secure from any danger (as he was in the midst of his own troops, and the enemy was retired within the castle walls) he took off his helmet, to breathe with more liberty. But he was observed by a foot-soldier belonging to the garrison, who, shooting an arrow, from a loop-hole of the castle, against his bare head, gave him a wound, that did not pierce, but razed the skull-bone.

bone. He thought lightly of it, and continued to attend the operations of the siege, till, by his neglect, it proved mortal. The manner of his death gave the clergy occasion to impute it to an extraordinary judgment of God; because he had been excommunicated on account of the sacrileges, which he and his troops had committed. They availed themselves also of some other like accidents, which happened to other barons, who, for the same offences, had incurred the same censures. Indeed they greatly wanted the help of such terrors, to preserve them from the rapine and outrages of the soldiery; for the restraining of which, a decree had lately been made, in a legantine synod, which the bishop of Winchester held at London in the presence of Stephen, that whosoever should do any violence to an ecclesiastic should not be absolved, but by the pope himself, and not even by him, unless it were *in his presence*: that is, all such offenders were forced to go to Rome for a pardon. Thus did the clergy endeavour to defend their persons and goods, by spiritual arms, and by the influence of popular superstitions, against the danger of the times, when all other means had proved ineffectual. And we are told, that it was of use to them. But a contemporary writer says, that greater barbarities were committed, by some of the bishops themselves, in oppressing their neighbours, and forcibly taking from them their money and effects, than by any of those whom they threatened with divine vengeance. Most of them, according to the account of that author, but more particularly the bishops of Winchester, Lincoln, and Chester, were frequently seen in arms, like the temporal barons, going out upon parties with an extraordinary ostentation of military pomp, maroding, and pillaging the country all round their episcopal castles, and even taking for themselves a share of the plunder. If any person of condition

H. Hunting.
sub ann.
1144.

Gest. Steph.
Reg. p. 962.

condition fell into their hands, they immediately threw him into a dungeon, and, by the most horrible torments, extorted from him an immoderate ransom. It is no wonder, that, from beholding such examples in their pastors, the people should suppose, that religion and morality had little, or no connexion, the one with the other, and that such an opinion should produce an universal depravity.

A. D. 1146.
Gest. Steph.
Reg. p. 967.
ad 969.
Huntingdon,
l. viii. sub
ann. 1146.
Neubrigent.
sub eod. ann.

The military operations of the year eleven hundred and forty five, after the death of the earl of Essex, produced no events considerable enough to be particularly dwelt upon here: but in the following spring there happened an action of very great importance. The earl of Gloucester had built a strong castle at Faringdon, to check the excursions of the enemy's horsemen from the city of Oxford, and left a garrison there, which was able to restrain, not only that of Oxford, but all the others which belonged to several castles, held for the king in those parts, and straitened them in such a manner, as to make them apprehensive of wanting subsistence; for most of them were nourished by the plunder of the country, and many had no other pay. This Stephen found of so much prejudice to him, that he came, with all the best of his forces, to besiege this troublesome fort. But, lest the earl of Gloucester should attempt to relieve it, he threw up lines, to secure his army; and then, making use of all the battering engines, that were known to the military art of those times, he carried on his attacks, with great alacrity and good conduct. The garrison made a brave defence, and much blood was shed on both sides: but, at length, the governor and the principal officers apprehending, that they might be severely treated by Stephen, if the place should, in the end, be taken by storm, resolved to capitulate; and, without the consent or knowledge of the soldiers, who were

were desirous to hold out much longer, opened the gates, and yielded themselves, with their whole garrison, prisoners of war, upon no better conditions, than that the knights, or men at arms, should be set free, upon paying their ransom.

During the siege, the earl of Gloucester had advanced to observe the king's entrenchments, with such a body of troops as he could collect : but, finding them very strong, he durst not attack them, without a greater army ; and, while he was drawing his friends together ; which, from his confidence in the valour of the garrison, he thought he had time to do, the place was surrendered. This was the worst disgrace that had ever befallen him : for, though his troops had been beaten, his officers never had before shown any baseness ; and these were some in whom he had placed a special trust. The reputation of the king was so increased, and his affairs were so mended, by this very important and glorious achievement, that Matilda's adherents, began to think, her party could not possibly support itself long : which opinion alone was sufficient to undo her. A great desertion from her immediately followed. Even some of those friends, upon whose zeal and attachment she believed that she had reason to depend most securely, forsook her now. The earl of Chester himself, her brother's son-in-law, on whom she had conferred extraordinary obligations, and whose animosity against Stephen had been, of late, more furious than ever, came to that prince as a suppliant ; and, expressing great sorrow for what he had done to offend him, obtained his pardon.

This was a mighty advantage to the king : for one third of the kingdom was actually in the power of that great earl, and some of his estates were so situated, that they broke and divided all which remained to Matilda. To prove his sincerity, and merit the favour of the sovereign he returned to,

Gest. Steph.
Reg. p. 964.
968, 969.
Huntingd. et
Neubrigenf.
sub ann.
1145, 1146.

be

he attended on him in person, with three hundred knights, the flower of his vassals, at the siege of the town of Bedford; greatly assisted him in taking that place, which had held out against him from the beginning of the war; and did him other good services, such as would have gained his affection and confidence, if affection and confidence could be given to one, who, unprovoked by any injury, changes his party, upon a decline of its fortune. Seduced by his example, and by the general opinion of the superiority which the king had now gained, even the younger son of the earl of Gloucester went off from the empress, and having obtained good terms from Stephen, who paid him in proportion to the enormity of his treason, made war upon her as sharply as the worst of her enemies. He did not even respect his father's lands; but ravaged and laid them waste, in a most barbarous manner; as if he desired to distinguish his zeal for the service of his new master, by a fury approaching to parricide: a shocking instance, to what a degree, in those execrable times, ambition and interest prevailed over all the ties of duty and nature! It happened soon afterwards, that Reginald earl of Cornwall, his father's half brother, was sent plenipotentiary from Matilda to Stephen, in order to treat of a peace between them; and, as he was on his journey, this young lord intercepted, and took him prisoner with all his attendants. Stephen, who had given the earl a safe conduct, was much offended, and instantly commanded him to be released: but it was not without difficulty, and after many repeated orders, that he was obeyed. As for the treaty, it soon broke off, without success; Matilda demanding the kingdom from Stephen, and he refusing to resign the least part of it to her, on any terms. Her demand was indeed extravagant in her present situation. For the death of the earl of Hereford,

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Vid. aucto-
res citat. ut
supra.

the shameful surrender of Faringdon castle, the loss of Bedford, and above all, the defection of the earl of Chester, succeeded by that of the earl of Gloucester's own son, had greatly weakened her party. It seemed, on all sides, to be breaking and falling to ruin. The earl of Gloucester alone remained immoveably fixed on the firm basis of virtue, amidst the shocks of this revolution. The more strongly Stephen's power and fortune prevailed, the more courageously did his great spirit oppose itself to them, and endeavour to supply, by its own single force, all that the levity and perfidy of his friends, or the disastrous events of war, had taken from Matilda. As no interested complaisance could ever induce him to flatter her passions, so neither could any prospect of advantage entice, nor any repentment provoke him, to abandon her service. He saw her disregard and reject his good counsels; he saw her destroy, by her insolence and perverseness, the advantages he had gained for her, and the wise schemes he had formed to establish her power; yet he continued to support her, correcting by his prudence the effects of her folly, and opposing by his courage the dangers she brought upon herself and her friends. But, with all his abilities, he could not restore to her the affection of the public; and *that* being gone, there remained no principle in the party, of force sufficient to keep them together, against the impulse of fear and of interest, which urged them to quit her sinking cause. Nor could Stephen have failed of recovering the whole kingdom, if he had known how to use his good fortune.

When the earl of Anjou was apprised of these events in England, he felt a paternal anxiety for Henry, his son; apprehending danger to him, both from the prevailing arms of Stephen, and from the treachery of his own adherents. On this account, and because he, much desired to see him,

Gerv.
Chron. sub
ann. 1146.

after

after an absence that had lasted four years, he sent to the earl of Gloucester, and earnestly begged of him, that the prince, who then was at Bristol, might come over to Normandy; promising that, in case it should be found necessary, he would, when his affection had been indulged with the sight of him, allow him soon to return to England. The earl of Gloucester, though unwilling to comply with this request, submitted to it, and conducted his nephew to Wareham, who embarking there had a prosperous voyage to Normandy: but they parted to meet no more: for, at the beginning of November, in the year eleven hundred and forty six, the earl died of a fever, occasioned, perhaps, by grief at the treason of his son, and the bad state in which he saw his sister's affairs. Of all the misfortunes, that lately had afflicted and depressed her, the loss of him was the greatest. He was unquestionably the wisest man of those times; and his virtue was such, that even those times could not corrupt it. If, when the nation was grown equally tired of Matilda and of Stephen, he had aspired to obtain the crown for himself, he might very possibly have gained it from both: but he thought it less glorious to be a king, than to preserve his fidelity and honour inviolate. He seems to have acted only from the purest and noblest principles of justice and duty, without pride, without passion, without any private views or selfish ambition: and to this admirable temper of mind he joined all the address and extensive abilities, that are particularly necessary for *the head of a party*; who must connect and keep together great numbers of independent persons, held by no regular bond of obedience; conciliate their different passions and interests, endure their absurdities, soothe their ill humour, manage their pride, and establish an absolute authority over them, without seeming to exercise any, but that of persuasion. This, at all times,

V. Joh. Sarisbur. epist. ad episcop. Wigorn.

times, is a very difficult task, and was more especially so to the earl of Gloucester; every nobleman, who joined with Matilda, thinking himself a confederate, rather than a subject; and she regarding herself as a sovereign, whom even her brother was obliged implicitly to obey, without ever presuming to dispute her commands. But, when he was dead, she quickly found, that her power was neither sufficient to govern her party, nor to resist that of Stephen. There was nothing but confusion, distrust, and dismay, in her court, and in her council. Her army wanted a general, and she could find none of abilities equal to the command of it, or whose authority the other barons were willing to submit to. If the earl of Anjou, her husband, had thought it advisable to come into England, with a strong army of Angevins and of Normans, and boldly put himself at the head of her party, he might, perhaps, have given a new spirit to it. This, one would think, he should have done, at such a juncture of time, if not for her sake, yet out of regard to his son, whose succession might be defeated by her expulsion. He had lately suppressed a revolt in Anjou, and was entirely master of Normandy: but either he believed that the tranquillity of those countries was yet too unsettled, to permit him to withdraw his forces from thence, and transport them to England; or he was stopped by the difficulty of deciding what rank he should hold in this kingdom. Matilda therefore had no resource, which could supply the loss of the earl of Gloucester. Courage and resentment still combated in her heart with despair: nor was it without the greatest and most painful reluctance, that she gave way to the necessity of leaving a country, over which she had so long expected to reign. But, in less than four months after the death of her brother, seeing no possibility of supporting her party, and fearing to

Gen.
Chron. sub
ann. 1146.

fall into the hands of her enemy, she was constrained to abandon England, and go into Normandy, to live with a husband, whom she never had loved, and who did not love her, but was generous or prudent enough to receive her with kindness, in this decline of her fortune, when her pride was humbled by her sorrow. Nevertheless he retained to himself the dominion of that dutchy, as he had held it in her absence; that is, without any dependence upon her. Instead of submitting to this, she would perhaps have staid in England, and buried herself under the ruins of her own greatness, if the anguish of her mind had not been soothed by the hope, that Prince Henry, her son, might, when he should attain to an age of maturity, be able to revenge her on Stephen, and recover the crown, which she had lost. Her whole care was therefore employed upon his education. She laboured to inspire him with thoughts as high as her own; to give him an ardour for glory, an ambition for empire, and a spirit of conquest. His genius was very suitable to such instructions; but the fire he drew from her was happily tempered, with the lessons of prudence and humanity, which he had been taught in England by his uncle; and which his father, a prince of great discretion and judgment, continued to fix in his mind.

Gest. Steph.
Reg. 968.
970, 971.

The death of the earl of Gloucester, and the retreat of Matilda, would have given Stephen a quiet possession of England, at least till Henry could have been capable of disputing it with him, if he had kept the earl of Chester his friend. But he lost him, as he, before, had lost the earl of Essex; by jealous suspicions, and violent proceedings in consequence of those suspicions.

It has already been told, with how much ardour and forwardness this lord had distinguished himself in his service, after their reconciliation; and this year

year he gave him a new testimony of his zeal, by assisting him in an operation of very great moment, the building of a fort, to block up the castle of Wallingford, which did him more hurt than any other yet remaining in the hands of his enemies. That work being accomplished, a great council was held by Stephen in the town of Northampton. The meeting was much fuller than any had been for some years ; and, the power of the crown appearing to be now in a good measure recovered, the earl of Chester very properly took this opportunity to make his complaints, that his county had suffered grievously, by the incursions and ravages of the Welch on the borders ; against whom he entreated the assistance of the crown, and strongly pressed the king to go thither in person, as the most effectual method to strike a terror into that people. In order to remove the objections, which he feared would be made, on account of the charge that such an expedition would bring upon the king, whose coffers were empty, he declared, that he himself would pay all the forces, and furnish them with all necessaries at his own cost. Stephen at first inclined to grant this request ; and undoubtedly his own honour was much concerned, to stop these incursions made by the Welch into the provinces belonging to England, and confine them to their own limits. He had been forced, for many years, during the heat of the civil war, to neglect the defence of his English subjects in Wales and the bordering counties ; and had suffered greatly from those Welch, whom the earl of Gloucester had led even into the heart of his kingdom. But now, when his other enemies were almost subdued, it highly became him to think of repressing those insults, and endeavour to recover his own reputation, which was sunk by such a long and tame acquiescence. He therefore promised the earl of Chester to march to the assistance of

thing was said against it in the great council : but in private all his favourites opposed that intention, representing to him the danger of engaging his troops, and risking his person, in the woods and mountains of Wales, where he would certainly be attacked by ambushes laid for him in every pass ; besides the great difficulty of finding provisions for his army, and what they supposed still more hazardous, the indiscretion of putting himself in the power of a man, who had so long rebelled against him, and whose fidelity now seemed very doubtful, as he had not given any hostages, nor even restored the royal castle of Lincoln, and other possessions usurped by him, or unduly gained, from the crown. Of these they advised the king to demand immediate restitution, and also such other pledges, as might be sufficient to secure him against the perfidy of the earl ; adding, that, if the earl refused to give them, he ought to be treated, not as a friend, but a traitor, and thrown into prison, to force him to a compliance.

This was strange counsel, and such indeed, as could come from none but those ministers, who had occasioned the revolt of the best part of the nation, by the arbitrary measures, in which they had engaged or encouraged their master. Whether it was adviseable for him to consent, at that time, to the earl of Chester's desire, was a disputable question ; and reasons of prudence might induce him to decline it : but, as the surrender of Lincoln castle and other demesnes of the crown, which the earl enjoyed as his own, under the title of former grants, had not been required of him in the late reconciliation between him and Stephen, there was was no colour of justice to ask it of him now, much less to extort it from him by violence. It does not appear that he had done any act, to make him reasonably suspected of treason ; and

an *unwarranted suspicion* could justify such a proceeding, a tyrant would always be justified; for he may always *suspect* when he desires to *oppress*. The iniquity of it appeared too glaring to Stephen himself; or at least he apprehended ill consequences from it: for, at first, he expressed a great unwillingness to consent to it: but his eager desire of recovering Lincoln castle, which he had vainly endeavoured to take by force, gave so much weight to the arguments of those who incited him to this act of oppression, that he permitted them to put their advice in immediate execution. They went directly to the earl, whom they found in the court not suspicious of any unfriendly intention against him, and informed him of all the king's demands. He replied, with the utmost astonishment, that it was not for this, he had come to attend his sovereign in the great council; that he had not received any notice of such demands, nor consulted his friends what answer he ought to make: upon which some of them began to revile and accuse him of treasonable designs; and, soon proceeding from words to deeds, arrested and committed him to the king's soldiers there present, who threw him into a dungeon, loaded with irons. When the news of his being treated in so ignominious a manner was carried to his vassals, they were filled with indignation, and the much greater part of them would have taken up arms, to force the king to set him free. But others, who were more prudent, restrained their impetuosity, out of a just apprehension of danger to his life; and advised him to yield what the king had required of him, that he might recover his liberty and with it the ability of being revenged. He did so, and was released; but not without giving hostages, and an oath to the king, that he would not make war against him. These securities were ineffectual. The first act of the earl, after his hands were unfettered, was to

Vid. auctores citat. ut supra.

Gest. Steph. Reg. p. 97¹, ad 973. H. Huntingd. & Ger. Chron. ann. 1147.

attack the king with great fury. He considered his oath as constrained, and therefore void ; or being hardened to perjury by the mode of the times, paid no regard to it : nor was he stopped by a concern for the hostages he had given, thinking that, as they were persons, on whose friendship the king had reason to set a high value, they would have nothing to fear from his relentment. Several times he fought with Stephen, defeated and wounded him in one action ; nor, when beaten, was he subdued ; his vassals being so numerous, his castles so strong, and his power so diffused, that, if he was driven away from one part of the kingdom, he presently appeared with new force in another. The king indeed upon his violating the oath he had taken, had imprisoned his nephew, Gilbert de Clare, earl of Hertford, who was one of his hostages ; and would not set him free, till he had given up all his castles, as a fine to the crown for the offence of his uncle : but by this he made him a bitter enemy, instead of a faithful and affectionate servant, as he had hitherto been. Nor did he lose him alone : for the earl of Pembroke desiring to have these castles, to which, by his relation in blood to the earl of Hertford, his brother's son, he had a natural claim, and being repulsed in his suit, was so disgusted, that he also resolved to join the earl of Chester, or was suspected of such a purpose, upon his having secretly left the court. Stephen, to whose mind suspicion was proof, immediately followed him, with all the troops he had ready ; and coming upon him unexpectedly, before he could reach the nearest of his castles, would have taken him prisoner, if he had not escaped, as soon as he saw the royal army appear, by changing his habit, and flying in disguise.

Vid. auctores citat. ut supra.

Thus was the great and powerful house of Clare, which, through the whole civil war, had ever been remarkably zealous for the alienated

him, and driven to his enemies, together with the earl of Chester ; an unexpected reinforcement, that restored their dejected spirits and courage, just at the time when they were sinking into peace and submission.

Nothing indeed could be more prejudicial to all his own interests, than the part which Stephen took with regard to that nobleman. The desertion from Matilda, begun by him, would probably on the retreat of that princess from England, have been followed by all the principal lords of her party, as fast as they could make their agreements with the king, and a general act of oblivion would have certainly brought in the rest, if he had shewn a disposition to keep his faith sincerely with those who submitted. For, as there remained no longer in the party any affection for Matilda, and her son was too young to have excited in them such sentiments, as produce a fixed attachment, nothing but fear and distrust of Stephen could withhold them from seeking to be reconciled to him, and forsaking a sovereign, from whom they had now no reason to expect either reward or protection. But when they saw, by the evidence of so great an example, how dangerous it would be to put any confidence in the king's pardon ; and that no services, done him upon a reconciliation, could secure their possessions against his claims, or the liberty of their persons against his suspicions, despair held them together, and forced them to keep up a head of rebellion, without much regarding for what prince they contended.

This was the state of the war in England till the year eleven hundred and forty nine. But, during the course of seven or eight years preceding that period, some changes had happened in the affairs of the church, which in themselves are worth attention, and in their consequences are very impor-

Vid. S. Du-
nel. hi⁹.
contin. per
Joh. Prior.
Hagustald.
sub ann.
1144, 1146.
Gerv. ac.
pontiff. Can-
tuar. p. 1665.
et Chron.
p. 1360.

Vid. S. Du-
nel. hist.
contin. per
J. Prior.
Hagust. .b
ann. 1142
ad 1148.

From the time that the bishop of Winchester had abandoned Matilda, his being invested, as legate, with the authority of the pope, was of no small advantage to Stephen : for while he enjoyed that authority, it kept the church of England dependent on him, and, by his mediation, on his brother. But it was grievous to the archbishop of Canterbury, who saw himself subjected to one of his suffragans. As Innocent the Second, who had given this legation to the bishop of Winchester, would not revoke it, the archbishop was compelled, however reluctant, to submit to the power of it ; and, what was still harder, to the insolent use which the bishop made of that power, on purpose to mortify him, as long as that pontiff continued in the chair. But Celestine the Second succeeding to the papacy in the year eleven hundred and forty three, and being a friend of the Angevin family, under whose patronage he had been educated, absolutely refused to renew the bishop's commission, and listened very eagerly to many accusations, which the empress Matilda and the archbishop of Canterbury sent to Rome against him. This was a terrible blow to the party of Stephen ; and though Celestine died soon afterwards, and he found dispositions more favourable to him in Lucius the Second, yet he could not obtain from the pontiff a renewal of his brother's commission. Eugenius the Third, who succeeded to Lucius in the year eleven hundred and forty five, became soon afterwards very hostile both to the king and the prelate. The first cause of this enmity was a dispute that arose about the election of an archbishop of York. William, the treasurer of that church, had been elected, in the year eleven hundred and forty two. He was a man of very noble blood, being nearly related to Roger, king of Sicily ; and, though educated in the court of Henry the First, and in the luxury of

of an opulent family, was so eminent for his piety, that, after his decease, he was sainted by Rome. The bishop of Winchester, though their characters did not sympathise well, had a great friendship for him, and so had the earl of Albemarle; but the zeal shewn by the latter to promote his election gave a pretence to dispute it, as having been procured by the royal authority, through the intervention of that earl, who was the chief minister of the king in those parts. William was also accused of having bought the majority of votes in the chapter. The party against him appealed to Rome; and the church of England was now in such a state of subjection to that foreign see, that no opposition was made, on the part of the king, to this appeal, though undoubtedly contrary to the ancient constitution and laws of the kingdom. Among the appellants were the abbots of Rivaux V. Bernard. e pist. 346, 347. and Fountain abbeys, who being particular friends of Bernard, abbot of Clairvaux, and knowing the great credit he had with the pope, desired to engage him in this affair, and succeeded so well, that he wrote letters to Innocent, with much acrimony, against William, who was obliged to go to Rome and plead his cause there. Of the simony, which he was charged with, no kind of proof was given by his adversaries: but they principally rested their cause on this point, that the earl of Albemarle had brought the chapter a mandate from the king to have him elected. Innocent would not himself determine that question upon a matter of fact; but sent him back into England, with orders to his legate, the bishop of Winchester, that, provided the dean of York, to whose testimony William particularly appealed, or any other credible person, would swear, that the earl did not bring a royal mandate to elect him, he then might be consecrated, if he would himself take an oath, that he had not given money for the obtaining of his

V. Bernard.
epist. 235.

his dignity. Accordingly, soon after his return into England, he appeared before a legantine council at Winchester, held by the bishop. The dean of York, having been lately made bishop of Durham, was disabled from attending it, by some disturbances, which troubled his diocese; but the bishop of the Orcades, the abbot of York, and the abbot of Whiteby, took the oath, required by the pope, in his stead; and William took that, which was demanded from him, as a proof of his innocence with regard to the bribery laid to his charge: whereupon he was consecrated there by the legate, no man appearing to accuse or oppose him in any manner; and the people expressing a great desire to have him for their archbishop. But Innocent being dead, Bernard applied to his successor Celestine, whose inclination to mortify the house of Blois he well knew, and wrote a letter to him against the archbishop, still more furious than those he had written to Innocent, calling that respectable prelate *a filthy and infamous person*, with other very outrageous terms of reproach. The whole foundation that appears in these letters for so much abuse is only a suggestion, that the bishop of Durham had staid away from the council of Winchester because he was afraid to take a false oath; from whence Bernard inferred, that the archbishop's election had not been canonical, and the oaths of the three prelates, who swore in behalf of him, deserved no regard. The passions of Celestine concurring with his, he so far prevailed, that William could not obtain his pall from that pontiff: but this persecution of him was stopped by Celestine's death; and Lucius, the next pope, sent him the pall by his legate, Cardinal Hicmar. He would now have been fixed in his metropolitan see without opposition, if, from an indolence natural to a mind absorbed in devotion, he had not neglected to go to London and receive the

pall from the legate, till Lucius died ; which event entirely changed the state of his fortune : for a new appeal being made by his adversaries, against his election, to Eugenius the Third, Hicmar thought himself obliged to carry the pall back with him to Rome. Eugenius, who had been a disciple of Bernard, seemed to regard him still as his master and spiritual father ; so great was the deference which he paid to his judgment in all affairs ! Of this Bernard himself was so sensible and so vain, that, in a letter he wrote to him concerning the business of the archbishop of York, he could not forbear to boast of it in the following words : *It is said that not you, but I, am pope, and those that have business with the see of Rome come to me from all parts of the world.* It was very true, that they did so ; and all the influence he had gained over the mind of that Pontiff was now exerted against the archbishop, whom he had hitherto attacked to no purpose. He called on his Holiness, as successor of St. Peter, to destroy this *Ananias*, this *Simon Magus*. And in a subsequent letter he renewed the assault with still greater violence, confidently asserting, that the bishop of Durham, whose oath had been required to purge the archbishop of York of the accusation brought against him, as having been intruded into his see by the royal authority, had since confirmed it, by a letter to the legate, whom Pope Lucius the Second had sent into England. But, lest Eugenius should not think this testimony sufficient to condemn the archbishop, as three other clergymen, of eminent dignity and very good characters, had sworn to the contrary, he added, *that common fame had reported such things of him, as would be reasons not only for deposing a bishop, but for degrading a soldier.* By what means these accusations, if they were calumnious, are to be reconciled with the piety of St. Bernard, or, if they were true, with the piety of St.

V. Bernard.
epist. 239.

V. epist.
240.

St. William, the church which prays to them both would do wisely to consider. Certainly, the great rancour with which they were urged, and some of them (as Bernard himself acknowledged) on no better grounds than *common fame*, or rather on the report of the archbishop's enemies, shews in that abbot a temper unbecoming a good man and a Christian. All his proceedings in this affair seem to have been instigated by a spirit of cabal, and a partial affection for his own order, to which the adversaries of William belonged. But Eugenius relied so much on his sentiments, and was also so moved by the persuasions of another Cistercian monk, Henry Murdac, who now engaged with a bitter zeal against the archbishop, that he refused to give the pall to that prelate, though the whole consistory was on his side. How far he himself may be supposed to have been biassed by a regard for the order, in the honour of which (as he had belonged to it) he might imagine that his own was partly concerned, I shall not determine : but undoubtedly he acted with great partiality. Presently after this time, he came into France, and called a council at Rheims, to which he summoned all the French and English bishops. But Stephen, extremely offended at his conduct, both on the account of the archbishop of York, and of the bishop of Winchester, whose commission he refused to renew, shewed a proper resentment, by absolutely forbidding the bishops of England to go out of the realm, and in particular the archbishop of Canterbury, whom he chiefly suspected of intriguing with the pope to his prejudice. That prelate, having ineffectually desired his permission, resolved to go without it, and finding the ports so strictly guarded, that he was unable to procure any ship for his passage, put to sea, from some of the open parts of the coast, in a small crazy boat; and so, with much difficulty and hazard

Gerv.
Chron. sub
ann. 1167.

zard of his life, passed over to France. When he took his seat in the council, Eugenius made a high panegyrick upon him, *for having, as his Holiness was pleased to express it, swam rather than sailed from England to France, out of the reverence and obedience be paid to St. Peter and to the orders of Rome.* The other English bishops obeyed the king and the laws of their country : for which they were put, by the authority of the pope, under spiritual censures. So strong was the conflict between the ecclesiastical and civil jurisdictions!

Gerv. ibid.
col. 1365.

In this council Pope Eugenius determined the cause of the archbishop of York, or rather, he there pronounced that sentence against him, which he had before resolved to pass. The good prelate, finding his Holiness ill affected towards him, and having a mind that hated contention, had left the court of Rome, and gone into Sicily, where he now lived retired, under the amicable protection of the king, his relation. Eugenius thought proper to judge him during his absence, and on the sole testimony of his accusers, the chief of whom was Henry Murdac. All the accusations brought against him, except the intervention of the royal authority in his election, were now let drop ; which is a strong proof of his innocence with respect to the aspersions thrown upon him by Bernard. His life and manners, undoubtedly were most severely examined, and if any objection could have been made to them, the council would have heard of it, as well as Eugenius, from that eloquent abbot : but to accuse him in publick was a more difficult and hazardous matter than to defame him in a private letter. Yet, clear as he was of all the stains, which malice and slander had endeavoured to fix on his character, the bishop of Ostia, *by the authority, that is, in the name of the council, pronounced, that*

St. Dunelm.
hist. contin.
per J. Prior.
Hagustald.
sub ann.
1147.

from his see, because
Stephen

Stephen, king of England, had nominated him to it before a canonical election. In vain did a majority of the cardinals in the council remonstrate to the pope, that a person of his high rank and good reputation ought not to be thus condemned unheard. In vain did Abbot Suger, in a very sensible speech, declare, that, even admitting the charge against him, it could not justly be made a reason to annul his election; *because kings had a right to point out to the chapters those subjects who would be most agreeable to them.* His doctrine was not agreeable to the pope; and councils then were the mere tools of the papal authority. Nor did Eugenius judge wrong, according to the political maxims of Rome, in seizing the opportunity of a weak reign in England, to establish a precedent for subverting the rights of all princes, and taking from them even the liberty of *recommendation* in the election of bishops. All opposition was therefore fruitless; and William being deposed, the chapter of York, *upon the pope's mandate*, proceeded to elect another archbishop, without consulting the king, who seemed to be also deposed from his dignity and royal prerogatives. The majority of the chapter chose Hilary bishop of Chichester: but a faction among them having voted for Henry Murdac, abbot of Fountains, a double return was made to Eugenius: whereupon that pontiff confirmed the election of Murdac, his favourite, and immediately consecrated him with his own hands. So flagrantly were the rights both of the clergy and crown of England violated by the pope, who made himself the sole master of this election, in a manner absolutely unknown before to our church, and which is spoken of with disgust, even by some of the monks who wrote in those days. The deposed archbishop, when he knew the sentence passed against him, returned into England, and retired to the house of his friend, the bishop of Winchester; where

Vie de Suger, l. vi.
Fleuri, histoire ecclésiastique, l. lxxix.

Gerv.
Chron.
sub ann.
1147.
Neubrig. l. i. c. 17.

Gerv. ibid.
J. Prior Hagustald.
sub ann.
1148.
Neubrigens.
l. i. c. 17.

where he employed all his time in the practice of devotion, without the least murmur, or complaint of the injury done him ; without either saying himself, or caring to hear a reproachful word said of those, from whom he had suffered this iniquitous persecution. But the prelate, whose guest he was, still continued to treat him as archbishop of York, regarding no further the authority of the sovereign pontiff, than as it concurred with his own purposes. Under his roof William resided till the year eleven hundred and fifty four, when fortune changed in his favour. For his three principal enemies, Eugenius, Bernard, and Henry Murdac having all died the year before, and Pope Anastasius, who succeeded to Eugenius, being his friend, he obtained his pall. Yet his enjoyment of a dignity, purchased with so much trouble, was not of a long continuance : he died soon afterwards, and is said by some writers to have been murdered by poison in the sacramental wine : but William of Newbury, upon a careful enquiry into the fact, assures us that the report of it was founded on nothing but slight and uncertain suspicions.

J. Hagustald. sub ann. 1154. Gervase, sub ann. 1153, 1154. Neubrigenf. l. i. c. 26.

While the archbishop of Canterbury remained in France with Eugenius the Third, they entered into great confidence and closeness of counsels, not only on ecclesiastical, but on civil affairs. They both hated Stephen, who, by supporting his brother in his application to Rome for a renewal of his legatine power in England, had grievously offended the primate ; and, by patronizing William archbishop of York, had no less angered the pope. They agreed, therefore, to assist Prince Henry Plantagenet, when time should serve ; and took measures together, which proved afterwards of great advantage to him, and were the secret springs of some very important transactions.

Yet

Y. Gerv.
Chron.
Huntind. et
Hoveden.
sub ann.
1151. et
præceden-
tibus.

Gerv.
Chron.
sub ann.
1157. et
Act. pontiff.
Cantuar. in
vit. Theo-
bald.

Yet it does not appear that the archbishop of Canterbury obtained at this time the legatine dignity. The bishop of Winchester, indeed, had been deprived of it by Celestine the Second, and could not get it renewed by Lucius, his successor, or by Eugenius : but I do not find Theobald ever styled the pope's legate till the year eleven hundred and fifty one. The council of Rheims being ended, he returned into England, confiding in the power of the pope to protect him against the resentment of his sovereign, whose command he had slighted, and the laws of the kingdom, which he so contumaciously had presumed to infringe. But, upon his arrival at Canterbury, Stephen immediately went thither from London, and sent him such angry messages, without deigning to see him, that, not thinking it safe to continue longer in England, he returned back to France. The queen and William of Ipres endeavoured to mediate a reconciliation ; and, that he might be nearer to England, persuaded him to come to St. Omer's ; where he remained for some time, expecting the event of their intercessions. Several bishops and abbots were sent to confer with him ; but, as neither he, nor his sovereign, could be induced to submit, the one to the other, all expedients to make them friends were found ineffectual. At last, the obstinate prelate, exasperated at being detained so long from his see, sent over to England letters of interdict, wherein a day was fixed, before which if he had not permission to return, they were to take place against all that part of the realm, which was in obedience to Stephen. These were the first of this nature to which England had been ever subjected ; and they were, therefore, much more terrible to the minds of the English. The king had seized the archbishops temporalities, upon his going out of the kingdom, and being in great want of money, oppressed his tenants, by exacting from them
their

their rents before the usual time. When that prelate was informed of these proceedings, he took shipping at Gravelines, and landed in Suffolk, at a port belonging to Hugh Bigot ; who, being in arms against Stephen, received him with great honours. At the term he had fixed he solemnly published the interdict ; which deeply affected the people, who saw divine service performed in those countries that acknowledged Matilda, and not in those that obeyed the king. The consequences of this intimidated the latter, who should either have foreseen or despised them : but, as he usually acted, he began with spirit, and concluded with meanness. The bishops of London, Norwich, Chichester, and several temporal lords, were now employed by him to try to persuade the archbishop to take off the interdict ; which they could not, by any arguments, prevail upon him to do, till he was brought back in triumph to his metropolitan see, by those nobles and prelates themselves. A fatal precedent, which gave a most grievous and incurable wound to the royal authority !

The spirits of the party against the king were much raised by the hopes, they now conceived, of once more gaining the church to their side. Many circumstances concurred to inspire those hopes. The archbishop of Canterbury, by the favour of Engenius, was become so superiour to the bishop of Winchester, that the dominion, which hitherto had been assumed by the latter over the clergy of England, was in a great measure lost. That the pope and Stephen were on ill terms was publickly known ; and, though the archbishop in appearance was reconciled to the king, their real enmity was no secret to men of any sagacity. There is great reason to believe, that, at this very time, the archbishop was combined with the earl of Norfolk, and other nobles, in carrying on a negociation for
inviting

inviting Henry Plantagenet to come again into England; which took effect in the year eleven hundred and forty nine. Determined as the enemies of Stephen were now, after the usage he had given to the earl of Chester, not to submit to the tyranny of his government, they were no less resolved not to subject themselves and their country to the pride of Matilda: nor were they disposed to give the crown to the earl of Anjou, whom they always considered as a stranger to England, married to the daughter of their king without their consent. The only object of desire to them and the nation was Prince Henry, his eldest son, who, having done nothing to alienate their affections, was unquestionably entitled to their allegiance, by every reason of justice and policy, as well as by the oaths which they had formerly taken to maintain his succession. Indeed the pretensions of Matilda might have stood in bar to his claim, till after her death; and he might have been greatly embarrassed, either to set them aside, against her will, or to support them, against that of the nation: but, in the present state of things, she had the good sense to depart from them herself; being convinced that it would be impossible to overcome the dislike which she discerned in the English; and not desiring to prevent her son from being a king, that she might retain the name of queen. A fondness for him was become her ruling passion, and she sacrificed to it that pride, which never would bend to her interest.

Gerv.
Chron. sub
ann. 1149.

J. P. Hagust.
sub ann.
1150. Gerv.
Chron. sub
ann. 1149.

V. Neubrig.
l. i. c. 22.

He was now sixteen years old, and began to discover a manly vigour of body and mind; so that he seemed to be capable of heading his party: and they earnestly demanded his presence in England, thinking and declaring, that, the earl of Gloucester being dead, he was the only leader, under whom they could act with any spirit or union. The king of Scotland, after having made his escape out
of

of Winchester, had taken possession of the three counties adjacent to his kingdom, not in his own name, but as in custody for Matilda and Henry her son. The inhabitants of those counties were glad to be under his government ; for he was so careful to protect them, that they suffered much less from the miseries of the times than any other parts of England. Nor could Stephen drive him out of them ; being too much employed in the more southern provinces, to carry his arms so far north. A kind of truce had thus continued for some time between them ; David being satisfied with securing those counties. But he now was willing to take a more active part, if Henry Plantagenet would yield them to him and his heirs, free of homage to the crown of England. The proposal was not very dangerous : but as, by making an offensive war against Stephen, he might expose his own kingdom to some danger, policy seemed to require that he should exact a recompence for it ; and though he was a prince of great generosity, he seldom allowed it to go beyond his discretion. Whether he explained himself on this article before Henry came to him, our ancient authors are silent. Certain it is, that he invited him over with a promise of aid ; and a great plan of operations was formed, in concert perhaps with the pope, through the channel of the archbishop of Canterbury : upon which the earl of Anjou and Matilda were persuaded to send their son into England, with a good body of chosen forces, both horse and foot. He landed safely, we are not told in what harbour, but, as I conjecture, at Wareham ; which was now in the possession of the young earl of Gloucester, who, not infected with the perfidy of his brother, remained faithful to the cause that his father had maintained with such inflexible constancy. From thence Henry marched into some of the western counties, being joined by the earl of Ches-

J. Haguf-
told. sub
ann. 1150.
Gerv.
Chron.
et Hunting-
sub ann.
1149. viz.
14. Steph.

ter, and Roger earl of Hereford, with several other barons of note in those parts, at whose request he had come over, and who seemed to be greatly animated by his arrival. But they did not think it adviseable to make any attempts against Stephen in England, till they should act in conjunction with the Scotch ; their principal confidence being in the aid that David had promised, without which, in their present circumstances, they had no hopes of success. To him therefore they went, and found him at the head of an army, in the town of Carlisle. Henry was received by him with a tender affection. The maturity of his understanding, and a magnanimity that appeared in all his deportment, drew the admiration of the Scotch, who were the more disposed to admire him, on account of the Scotch blood he had in his veins, derived to him from his grandmother, Matilda the Good. During the Whitsuntide festivals, kept by David at Carlisle with extraordinary pomp, that monarch conferred on Henry the honour of knighthood, which the mode of those times made necessary for princes, as soon as they were capable of bearing arms. But, before he did this, he required him to take an oath, never to resume, from him, or his heirs, any part of the three counties, which he had obtained possession of, during the troubles in England.

V. Neubrig.
F. i. c. 22.
L. i. c. 4.

If no intimations had been given to Henry of this demand before he came over, it was a surprise upon him, and, considering his youth and the place he was in, a very unfair one. No historian, who lived in that age, has said, that it was authorised by Matilda. In whatever manner it was made, Henry did not think it prudent, while he was in Scotland, to dispute it with the king ; but took the oath prescribed to him, and yielded those provinces, in hopes of recovering the rest of the kingdom by the assistance of the Scotch.

An-

Another difficulty with regard to this matter was also adjusted. That no discontent might remain in the earl of Chester, on account of his claim to Carlisle, which he had not renounced when Stephen gave that city to David, it now was agreed, that the eldest son of the earl should marry the daughter of Henry prince of Scotland, and receive in exchange for his pretensions to Carlisle the honour of Lancaster, which they proposed to conquer for him. I presume that he was not to hold this acquisition as a fief under David, who had no title to it; but under Henry Plantagenet, as king of England. This being settled, he departed, in order to raise greater forces, with which he engaged to join the Scotch. The place of rendezvous was appointed at Lancaster, and a day fixed for his coming. David accordingly marched thither with his army: but, the earl not keeping his word, he returned to Carlisle much dissatisfied. While he lay there, Stephen drew his troops together, and came to York; but kept himself entirely upon the defensive: and David acted with the same caution. We are not informed what it was that caused the earl of Chester to fail in his promise. Perhaps he could not raise his vassals so speedily, as he had imagined he should, when he left Carlisle; or rather the mere levity of his natural temper made him false to his word: for he was accustomed to change his conduct, not only with his interest, but with all the irregular sallies of his passions. Possibly too the archbishop of Canterbury, who might think it would become him to be last in the field, was stopped by the backwardness he saw in the earl and some of his other confederates, upon whose alacrity he had counted. It might have been expected, that the earls of Norfolk, of Pembroke, and of Hertford, would join the king of Scotland and Henry Plantagenet, either with the earl of Chester, or without him: but

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they were, probably, restrained from it, by some negotiation opened with them by Stephen, or by the difficulty they found of drawing their forces out of the several counties, in which their chief power lay : and their inaction might be an argument to withhold the archbishop, who, certainly, was not deficient in zeal for the cause, nor in courage.

The hopes of Prince Henry were all blasted by this disappointment. He sought an occasion of exercising his new profession of arms, or (to speak in the language of that age) he desired *to gain his spurs* ; but he could not possibly take the field, against a royal army, with his own troops alone ; nor find any proper means of employing his valour, while the two kings, almost equally afraid of each other, contented themselves with only guarding their borders. Thus it happened that the whole summer, and part of the autumn, of the year eleven hundred and forty nine, passed without any considerable event, except that Eustace, who, that year, had been knighted by his father, and had the command of some forces, made incursions into the lands of those English barons who were with Henry at Carlisle, and did them much mischief. The reputation which that prince acquired by this action, the first exploit of his manhood, caused Henry to repine the more at his own hands being tied : and therefore seeing no prospect of gaining any honour, or doing himself any service, by a longer abode in the court of David, whom he found determined not to act offensively against Stephen, he returned into Normandy, at the beginning of the year eleven hundred and fifty. Yet, though he had not been able, during his stay in this island, to signalize himself by any illustrious actions, he left behind him such impressions of his merit and capacity, that his having come over was in reality of great advantage to him, and strongly disposed

disposed the minds of the English nobility to invite him again, at a more favourable season.

The earl of Anjou was now in quiet possession A. D. 1150. of Normandy, having deterred all his enemies from exciting any new disturbances there, by the firmness and vigour of his government. But the treasonable practices of a prince of the blood would v. Sug. epist. 65. et vic deSuger. have kindled a civil war in the whole kingdom of France, if it had not been prevented by the prudence and magnanimous spirit of Abbot Suger, who, when his master went to the Holy war, had been left regent of France, from the singular confidence, which, not only the king, but the nation, unanimously placed in his wisdom and integrity. Their opinion of him was justified by every act of his regency : but the most difficult part of it was at the latter end, when Robert earl of Dreux, who had returned into France before his brother, tried to raise a rebellion there against that monarch, and obtain the crown for himself ; or, at least, to usurp the whole power of the government. His hopes of success in this flagitious design were grounded on the ill humour, which the loss and dishonour that the nation had suffered, from the late unhappy crusade, had produced in many of the French, a people unapt, from the vivacity of their temper, to bear with moderation either good or bad fortune. He artfully fomented this discontent, and, by imputing the disasters, of which they complained, to the weakness and folly of Louis, drew upon him at once their contempt and indignation. The history of France afforded precedents of the deposing kings for incapacity, and shutting them up in convents. Louis had no issue male : his brother Henry, who was next in the order of succession, had taken the frock of a monk in the abbey of Clairvaux : these circumstances were very favourable to the ambition of Robert, who resolved to

make use of them, and push his fortune to the utmost. The ferment in the minds of the people was great : and many of the nobles were ready for a revolt ; Robert having gained a strong party among those, with whom he had served in the East, by his manly and military character, which seemed to render him far more worthy to govern the French nation, than the bigoted Louis ; and the general poverty brought upon them, by their expences and misadventures in their late ruinous enterprise, instigating them to seek a remedy for it, in the confusion and violence of civil war, or in such a change of the government, as might entitle them to advantages, they could not hope for in the present state of the kingdom. But the regent was warned of these dangerous machinations, by a letter from the earl of Flanders, who, at the same time that he cautioned him to be well upon his guard, offered to come and assist him, if there should be any occasion for it, with the whole force of his earldom. So frank an offer, made at such a critical time, by one of the bravest and most powerful princes of France, enabled the regent to maintain his master's authority, and extinguish this rebellion before it broke out into an open flame.

v. Sug.
epist. 65.

What part was taken by the earl of Anjou we are not informed : but as he, and his brother-in-law, the earl of Flanders, generally acted in concert, and as he lived in the most cordial friendship with Suger, we may venture to conclude, that he gave no encouragement to the treason of Robert, or rather, that he joined with them to resist it. In the collection of Suger's letters there is one, from him to that minister, wherein he used these expressions : " I notify to you, *as my dearest friend,*
" that (if it be necessary) you may send for me
" upon the king's service, *and I shall most certainly*
" *attend you, to serve him in all affairs, as you shall*
" *require*

v. Suger
epist. 37.

*“ require, and even with more diligence than if he
“ were present.”* This letter indeed was written

before the return of the earl of Dreux into France : but I find no reason to doubt that Geoffry still continued in the same dispositions. Supposing only that he did not abett the designs of Robert, it was of great service to Louis : for if the power of the dutchy of Normandy, and of the earldoms of Anjou, Maine, and Touraine, had, in this conjuncture, been employed to strengthen the faction against that monarch, the worst consequences might have been feared from such a confederacy. But it may naturally be presumed, from his connections at this time, and from the kindness which afterwards continued to subsist between Suger and him, that, on this occasion, he was more than unactively loyal. Yet no sooner was the king delivered from the danger of so formidable a revolt,

than, as we learn from Suger's letters, he was ready to draw his sword against the earl of Anjou. v. Sug. epist. 150. 153.

The cause of their quarrel is not told, either in any of those letters, or by the contemporary historians. But it will not be difficult to guess the motives, from which Louis might be induced to such a war. For though, before he took the cross, his interests, or his passions, had caused him, in the manner before related, to give the investiture of the dutchy of Normandy to Geoffry Plantagenet, other sentiments might now prevail in his mind : especially as his hatred against the house of Blois was entirely overcome, by the artful address of the present head of that family, Henry earl of Champagne, who had gone with him to the East, and there had insinuated himself into his favour. This prince would naturally use all his credit with his sovereign to the advantage of Eustace, his cousin german, and Stephen, his uncle ; which, together with the supplications and reproaches of Constantia, the sister of Louis, married to Eustace, might

v. Sug. epist. 77.

incline the king, who was very inconstant in his policy, to undo his own work, and drive the earl of Anjou again out of Normandy, that he might restore it to his brother-in-law, according to the tenour of a prior engagement, contracted by his father, and ratified by himself. But the immediate occasion of their quarrel might arise from disputes concerning the extent of the king's jurisdiction over the vassals of Normandy, upon appeals made to his court from the court of their duke. The mind of Louis might thus be irritated against the earl of Anjou; and in that disposition it would easily receive all impressions, which the friends of Stephen and Eustace desired to make, against the right of that prince or of his consort, Matilda, to the duchy of Normandy. Certain it is that he had formed a design of attacking him in that country, and was preparing for it, with great ardour: but as soon as Suger, who then was absent from the French court, received notice of this unexpected resolution, he wrote to the king, and earnestly entreated him, not to engage inconsiderately in a war against the earl of Anjou, whom he himself had made duke of Normandy, *without the advice of all his barons*: because such a war, if rashly undertaken, could neither be carried on without great difficulty, nor dropped with honour. He also sent a letter to the earl of Anjou and Matilda, expressing the greatest concern at the difference between his master and them. He told them, that he had been honoured with marks of extraordinary favour and confidence by their father King Henry, and had done him great services in many important negotiations and treaties. Particularly he affirmed, that, for twenty years together, no peace had been ever made between Louis le Gros and that monarch, without his having had a principal share in settling the terms of it, as one who was equally trusted by both princes. He professed,

V. Suger
epist. 150.

fessed, that he still retained the same dispositions; and not merely from love of peace, but out of gratitude for the favours which Henry had done him, he now exhorted the earl of Anjou and Matilda, to use, with all diligence, their utmost endeavours, by the mediation of their friends, to appease the anger of the king, and regain his affection, while it was yet in their power to regain it, and before he had concluded any league with their enemies. These letters had all the effect he wished. Louis was stopped from pursuing his intention; and, when he had leisure to reflect more coolly upon it, he discovered what his passion before had concealed, the very bad policy of agitating his kingdom, which stood in such need of repose, with new intestine broils, and of making that potentate an implacable enemy, whom he had found a useful friend. He therefore left the earl of Anjou in peace, and broke off the treaty begun with Eustace. Whether that earl had gone so far, in deference to him, as to yield the point in dispute, we are not informed: but it may be presumed, that, agreeably to the counsel given by Suger, he made some concessions, in order to recover his favour. Nor did he think it adviseable to sit down content with having only dispelled the present storm; but, foreseeing a new change in the mind of the king, endeavoured to prevent the effects of his levity, by a negociation, which was undoubtedly concerted between him and Suger. A proposal was made to that monarch in his name, with the concurrence of Matilda, that, if he would give the investiture of the dutchy of Normandy to Henry their son, they would cede to him the Norman Vexin, a province lying betwixt the rivers Epte and Andelle, wherein was situated the castle of Gisors, which had been the principal cause of discord between Louis le Gros and King Henry.

V. Suger
 epist. 153.

Gest. Ludov.
 vii. Reg. c.
 28. Histor.
 ejusd. ap.
 Duchesne.
 p. 414.
 R. de Mon-
 te Chron.
 Norm. p.
 984.

It

It seems surprising, that the earl, instead of retaining the dutchy under his own administration, as he had hitherto done, should desire to give up a frontier of such importance, and which had cost so much blood, merely with a view of procuring for his son the investiture of the whole ! No cause is assigned for it by any ancient historian : but several motives may be well supposed to have influenced his conduct in this affair. He probably might discern that his subjects of Normandy desired rather to be governed by his son, than by him ; that prince being the nearest heir male in descent from William the Conqueror, and now of an age, which, with an understanding so mature and forward as his, they judged to be capable of sustaining the weight of government. Another consideration, which might reasonably appear of great moment, was that the immediate possession of Normandy would be very useful to Henry, in assisting him to recover the kingdom of England ; as the most powerful nobles, who had fiefs in both countries, were very desirous of holding them under one lord. And to secure his title to Normandy, by a new act of the French crown, arising from a treaty beneficial to that crown, was doubtless good policy : for the pretensions of Eustace might at any time become formidable, if Louis could be induced to countenance and support them. The earl of Anjou therefore acted a very prudent part in making this offer ; and as for Matilda, she gave up only the name of a power which she had never enjoyed, to procure a solid benefit for a son whom she loved. Possibly too she might hope to have a more real share of the government, when vested in her son, than she could, while it continued in the hands of her husband. The king of France, extremely pleased with gaining the Vexin, granted, without any difficulty, the investiture they desired. For that purpose he went himself into Normandy, about the
autumn

autumn of the year eleven hundred and fifty; and, lest any faction there should be inclined to oppose this design, he led an army thither; with which having, as sovereign, taken possession of the dutchy, he delivered it all, except the Vexin, to Henry, Plantagenet, after hearing his title to it made out in due form, and receiving his homage.

Thus was this prince, even during the life of his parents, raised to the exercise of dominion, and formed, in the earliest bloom of youth, to the duties of the high rank he was born to; learning by practice, as well as precepts, the science of government, which, without practice, no instructions can sufficiently teach. A. D. 1150.

The earl of Anjou had certainly great reason to hope, that, after this settlement of the dutchy of Normandy, with so much satisfaction to both parties, nothing could soon happen to disturb the good harmony between Louis and Henry: but the feudal government, in a country where the fiefs were so great, was a perpetual source of discord. One of his Angevin barons, named Gerard de Barlai, lord of Montreuil, had been in rebellion against him, trusting, as it seems, to the strength of his castle. It was indeed almost impossible to take it by storm: but Geoffry built three forts of stone, which entirely shutting up all the passages to it, for three years together, by this kind of blockade he obliged it to surrender, and took the lord of it prisoner, a little after the cession of Normandy to his son. This was accounted in those days, (as appears by the words of a contemporary historian) an extraordinary and glorious exploit, *the like of which* (says that author) *had not been heard of, since the time of Julius Cæsar*. He meant, I presume, the long continuance of the siege; it being then very unusual for any to be protracted above three or four months. But Gerard had found means to engage the king of France in the support of his quarrel, Chron.
Norm. sub.
ann. 1150.

V. Chron.
Norm. ut
supra.

quarrel,

quarrel, perhaps by alledging that he was not a vassal of Anjou, but of Poictou ; Montreuil being then a district of the latter, if the author of the Norman chronicle be not mistaken. It now belongs to Anjou ; from whence it is probable, that the right to it was doubtful, and a matter of contention between the earls of Anjou and dukes of Guienne ; which might induce Louis to consider Gerard de Berlai as *his* vassal, and the castle as belonging to *him* by his marriage. Certain it is, that he took upon himself the protection of both, and was much incensed at the earl of Anjou for detaining that lord in captivity, as well as for having presumed to demolish the castle. But Geoffry, who thought that he had done nothing illegal, would not submit in this point to the royal authority ; and the dispute upon it grew so hot, that Louis determined to chastise his *rebellion* (for such he called his *resistance*) by force of arms. Normandy had no concern in the quarrel ; yet he chose to begin the war by attacking that duchy, either taking it for granted that Henry would act in defence of his father, or believing that Geoffry would be more intimidated, if the storm fell on his son, than if it were directed against himself. To give the greater alarm, he sent for Eustace, king Stephen's son ; who readily came at his call ; and they marched together into Normandy, the frontier of which was open on the side of the Vexin. About the middle of summer, in the year eleven hundred and fifty one, they laid close siege to the strong castle of Arques. Henry came against them at the head of an army composed of Angevins, Normans, and Bretons ; the last of whom served him as vassals to Normandy, of which Bretagne was held in fief. His force was superior to that of his enemy, and the ardour of youth made him wish for an engagement, in which he hoped that he might vanquish a king of France : but, eager as he

he was to acquire that glory, he suffered himself to be restrained by the counsels of some of his oldest and wisest friends, who advised him to avoid, if possible, a battle with his sovereign. Their caution was reasonable; and it did Henry more honour, that he could, at his age, be prudent enough to regard it, than if, against their advice, he had fought and conquered.

Louis, finding the duke stronger than he had expected, returned to Paris, in order to raise more forces, without which he was sensible he could not succeed; as none of the Normans had revolted in favour of Eustace. He was now reconciled to his brother, the earl of Dreux, and not only forgave him his treasonable attempts, but trusted and employed him; his temper knowing no medium between hatred and confidence. When the new levies were made, he and that prince went together, at the head of those bands, and fired the town of Seez, which belonged to William de Talevaz, one of the greatest Norman barons: after which, the king, being indisposed, returned to Paris, but ordered his army to post itself on the bank of the Seine, along the Norman frontier; intending to lead it into Normandy, as soon as his health would permit. At the same time, the earl of Anjou and Henry, uniting their forces, lay on the borders of Normandy, over against the king's troops, and shewed, that, although they were desirous of peace, they were not afraid of war. If Louis had been able to act, the affair might have become very serious: but his distemper encreasing to a violent fever, he willingly agreed to a suspension of arms, during which growing better he listened to proposals for an accommodation, that were made to him by several ecclesiasticks, whom the earl of Anjou employed, as the best negotiators with a prince of his character. Probably Suger was one who laboured

Chron.
No. m. ut
supra.

boured the most in this treaty : for, besides the regard he professed for the house of Anjou, the interest of his master, and of the kingdom, which stood in need of a long peace to recover its strength, must have inclined him to promote it with all his power. It was indeed unpardonable in Louis, so quickly after he had granted the investiture of Normandy to Henry Plantagenet, not only to attack him, on account of a difference with his father, but to bring over Eustace, with an apparent intention, against the faith of the most solemn treaty, and while he actually enjoyed the benefits of it, to restore the dutchy to that prince. Suger must have seen this levity with concern : but all the influence, he had acquired over his mind, could not hinder the first heat of his impetuous temper from hurrying him into rash and inconsistent acts. The utmost he could do was to seize every moment of cooler thought, and bring him back to reason, by gentle reproofs, or by artful insinuations. Thus he seems to have proceeded with him upon this occasion ; and having been assisted by the prudent conduct of the earl of Anjou and of Henry, he re-established that tranquillity he so much desired. The terms of peace were only these ; that the earl should give up his prisoner, Gerard de Berlai, to the king ; and that Henry should renew his homage for Normandy. The unhappy Eustace was thus sent back to England, with the grievous mortification of seeing the dutchy, which he came over to regain, confirmed to his enemy. A miserable condition it is for a prince, who has high thoughts and pretensions, to depend, for the support of them, upon the aid of another ! He will be set up and cast down, at every turn, just as the interest or caprice of the potentate upon whom he relies, or the inclinations of favourites, may happen to change. From the character given of Eustace, by the writers of those times, we may be certain that he felt
very

very sharply the uneasiness and humiliation of such a dependence : but he was forced to submit ; and (what was still more painful to him) he durst not complain : for he was afraid, by shewing his resentment, to lose the affection of Louis, which might be useful to him upon other occasions, and trusted to the unsteadiness of that king in his politics, that the house of Plantagenet and he would not long continue friends.

Henry, being now in quiet possession of Normandy, turned his thoughts towards England, and convened a great council of the Norman nobility, in order to consult with them in what manner he should pursue his claim to that kingdom. But, while he was eagerly intent on the result of this deliberation, his father, the earl of Anjou, died of a fever, on the tenth of September, in the year eleven hundred and fifty one, being the forty first of his age.

Chron.
Norm. ut
supra.

A. D. 1151.

From all we know of this prince, he appears to have been a man of a very sound understanding ; active and brave ; but cautious ; and less a warrior than a statesman. Though he paid little regard to the notions of piety inculcated by the clergy, where he found them opposite (as they often were) to his temporal rights, yet he had a sober and rational sense of religion. His moral character was good, but not shining, rather exempt from great vices, than adorned with great virtues. But there was in his temper a happy moderation, which, when fortune was adverse to him, enabled him to wait, with patience and firmness, for better opportunities ; and, when favourable, preserved him from insolence and presumption.

Idem ibi-
dem. et vit.
Geoff. Duc.
Norm.

He left three sons by Matilda. To Henry, the eldest, he bequeathed his three earldoms, Anjou, Touraine, and Maine, except the castles of Chignon and Loudon in Touraine, and that of Mirebeau in Anjou, which, with all their dependencies,

Chroni.
Norm. ut
supra.

he

he gave to Geoffry, his second son. Some authors have said, that the earldom of Mortagne was given by him to William, his youngest son. But, as Mortagne was a province of Normandy, which before his death he had resigned entirely to Prince Henry, he could not by his will dispose of it to another: and therefore this bequest (if indeed there was any such) must be considered as a *recommendation* of his third son to that earldom, *if Henry should be willing to bestow it upon him*. It is evident by an act of that prince not long afterwards, that he thought himself at liberty to dispose of it otherwise, as his own interest then required. Nor do we find any legacy of money bequeathed to William by his father: but his whole fortune was left dependent on Henry's affection. Better care was taken of Geoffry: for, besides the present gift of the above mentioned castles, his father directed by a clause of his will, that, if ever Henry should be fully possessed of his mother's inheritance, that is, of England and Normandy, he then should give up all his paternal dominions, namely the earldoms of Anjou, Touraine, and Maine, to his second brother. And to prevent this reversion from being disputed by Henry, as he apprehended it would, he obliged all the bishops and barons, who were with him, to take an oath, that they would not suffer his body to be buried, till Henry had sworn to perform indiscriminately every part of his will. When that prince came to attend the obsequies of his father, he was immediately informed of the oath these lords had taken, and exhorted to take that required of him, before he was acquainted with the contents of the will. He resisted some time; but being urged with the indecency of letting his father's corpse remain unburied, he yielded at last, though with great marks of discontent. After the funeral, the will being opened, he gave

Gul. Neubrig. l. ii.
c. 7.

Brompton
Chron.

why the testator had thought it necessary to take so extraordinary a method of forcing him to fulfil it.

It seems that Matilda, after the loss of her husband, resided constantly at Rouen; and, probably, she was lodged in the ducal palace with her son, who repaid her affection for him with the most pious respect and filial tenderness. The design he had formed of prosecuting his right to the crown of England was stopped by his father's death, and by the necessity of taking possession of his three earldoms, and paying the homage due to Louis, his sovereign. But this delay, as well as all other accidents, turned to his benefit; fortune and prudence co-operating equally to aid his ambition. For, besides the great encrease of territory and power, which he derived from the inheritance of his paternal dominions, a much greater accrued to him by his staying in France at this time, which perhaps he might have lost, if he had then been engaged in the troubles of England.

The suspicions which Louis had conceived of his queen, had been so far got over, or, at least, quieted in his mind, that he, probably, would have continued to live with her as well as he had done for some years, if she had sought to recover his affection. But she did the very reverse, from several motives. Her character and his were so discordant, that it had turned the regard, which she appeared to have for him when they were first married, into a settled aversion. His superstitious devotion and unkingly humility raised her contempt; and she often complained of her having married a monk, not a king. Besides this unhappy disagreement in their tempers, she was of spirit too high and fierce, not to remember, with implacable anger, his hurrying her away in such a manner from Antioch; which had brought a foul stain on her honour: and supposing his suspicions to have been groundless,

*Ger. Chron.
et Annales
de Waver-
ley, sub ann.
1152. Con-
cil. Bulgent.
Gest. Ludov.
vii. Reg. c.
29. Neubri-
genfis, l.
i. c. 31.*

one cannot much condemn her for such a resentment. Instead therefore of soothing his mind to a forgetfulness of their past quarrel, she constantly irritated and inflamed his displeasure, hoping and endeavouring to bring him to part from her by a divorce ; for which a decent pretence was easily found in the usual plea of a relation within the degrees forbidden by the canons. Louis and she were fourth cousins ; and had they been cousins only in the seventh degree, it would have rendered their marriage null, by the canons of the church, without a dispensation from the pope, which they had not obtained before their union : a neglect hard to be accounted for, in a match of such importance to the kingdom of France ! She therefore pretended a scruple about this consanguinity ; and partly by alarming the timorous conscience of her weak-minded husband, partly by provoking his anger against her, at length induced him to come into her measures for dissolving their marriage. We are told by an historian, who lived in those times, that it was said, her inclination for the young duke of Normandy was the chief reason, which prevailed with her to desire and procure this divorce. Nor is it improbable : for Henry was handsome, and full of the agreeable fire of youth, with a certain military air and demeanor, which, to a lady of her gay disposition, was a most powerful charm. He had been twice at the court of France since he returned out of Scotland ; once, when he did homage for the dutchy of Normandy, and again, when he came thither to perform the same ceremony for the earldoms his father had left him. At both these times he saw the queen, and might have many opportunities to converse with her freely. Her heart, which was absolutely estranged from her husband, might too easily admit a passion for him ; and that passion might influence her to press
the

Neubrigenfis,
ut supra.

V. auctores
citat. ut
supra.

the more vehemently her separation from Louis. Whether Henry was in love with her, is uncertain. Their ages were unequal; for she was thirty years old and he under twenty: but, with a good share of beauty, and more of vivacity, she had still youth enough to gain the heart of a young man, though not to keep it very long. One passion at least, which was very strong in Henry, she perfectly gratified, and better than any other lady could do; I mean his ambition. Nor could she make a fitter choice, if she desired, as she undoubtedly did, to vex and mortify the husband she quitted: for by giving herself, and the dominions of Aquitaine, to a prince already possessed of Normandy, Anjou, Touraine, and Maine, she made him a vassal much too great for his sovereign; besides the hopes she entertained of his making himself king of England, after such an augmentation of power and strength, as he would gain by this match. It is therefore most probable, that she acted in consequence of a plan, concerted between them, at their last meeting. Louis was the dupe of this intrigue, and did not consider so deeply, as he ought to have done, how much he must lose, as king of France, by annulling a marriage, which had annexed the two dutchies of Guienne and Gascony, with the great earldom of Poictou and all their dependant provinces, again to his crown. Suger was dead; and he had no other friend, either so honest, or so wise, as to shew him all the folly of what he was doing. He therefore followed the method that Eleanor had suggested, and, having assembled a council at Baugency, declared to them, that he found himself troubled in conscience, about the consanguinity between him and the queen; which being attested by the oaths of some of her own relations there present, the council unanimously dissolved the marriage, as incestuous and void, after they had cohabited almost sixteen

Vid. au-
res citat. ut
supra.

years, and though she had brought him two daughters, who were both living. The sentence was likewise confirmed by the papal authority. Thus, without the least mention of the queen's infidelity, which indeed could not be proved, Louis and she were divorced, to the entire satisfaction of both, but infinitely to the detriment of him and his kingdom: for no reason or colourable pretence could be found, after the marriage was declared to be null, for his retaining the territories belonging to her as heiress to her father. He therefore resigned them to her, however unwillingly, and against his own interests. Some modern historians, who blame his ill policy in that restitution, seem not to have considered the equity of the case. He may indeed be justly censured, as king of France, for great imprudence in the divorce: but the restoring to the dutchess of Aquitaine the inheritance she had brought him in right of their marriage, was an unavoidable consequence of dissolving that marriage. Neither would her friends, nor would she herself, have ever agreed to it without this condition: and if any opposition had been made to it by them, it could not have been effected: for, even with the unanimous consent of all parties, it was a scandalous act.

See Mezerai
& viede Sug.

The daughters, thus illegitimated, remained with their father; but Eleanor went immediately into Guienne. If we may believe some modern writers, Louis flattered himself, that she would always remain unmarried, from her bad reputation; saying "her behaviour had made her so infamous, that the poorest gentleman in his kingdom would not desire to have her for his wife." But, admitting that such an expression did really drop from him (of which I very much doubt) he was extremely mistaken in his judgment. More than one prince of the highest rank
in

in France desired her hand, as soon as ever he had set it at liberty; either not believing the reports against her honour, or only regarding the dower that she would bring to her husband. One of these suitors was the second son of Thibaud earl of Champagne, King Stephen's brother, who, after a long sickness, was lately deceased, and had left his territories divided between three of his sons; the fourth being in orders. The share of the second was the earldoms of Blois and of Chartres, with the district of Chateaudun; to which he willingly would have added the duchy of Aquitaine, and therefore made proposals of marriage to Eleanor, as she passed through Blois to Guienne; which she having rejected, he formed a design to seize her person, and force her to marry him: but, being happily warned of it, she escaped to Tours. Nor was she yet in safety. For Geoffry Plantagenet, either not knowing, or not respecting, the pretensions of his brother, was no less desirous than the earl of Blois to intercept so rich a prize. He could not propose himself as an equal match, having only three castles to offer in return for all her ample dominions; but he thought that he might possibly obtain her by force, and resolved to carry her off, by laying an ambush for her at Port de Piles, or on a supposition that in her journey between Tours and Guienne she would pass through that place. So much did the actions of princes in that age resemble those we read of in the old romances! But her danger at Blois had rendered her very cautious; and her intelligence was so good, that she got notice also of this design against her, before it was executed: upon which, changing her road, and avoiding Port de Piles, she arrived safe in Guienne; from whence she sent messengers to Henry Plantagenet, offering him her hand, or rather confirming the offer, which she

Chron.
Norm.

Chron. Ta-
ron. Pere
Daniel.

Gerv.
Chron.
sub ann.
1152. Neu-
brig. l. i.
c. 31.

A. D. 1152.

had, probably, made of it before her divorce ; and acquainting him with the dangers she had run in her journey. Upon the receipt of her letters, he set out immediately with few attendants, repaired to her at Poitiers, as soon and as secretly as he could ; and, by a speedy marriage, secured her to himself, before the king, her late husband, had even a suspicion of such an intention. The nuptials were celebrated on Whitsunday, in the year eleven hundred and fifty two, within less than six weeks after her separation from Louis. When that monarch was informed of her having so suddenly disposed of herself, and to one whose greatness in the realm of France had before given him jealousy, he expressed much displeasure, and was exceedingly alarmed at the consequences of it, which he saw it was no longer in his power to prevent. The subjects of Eleanor were all satisfied with the choice she had made, and no symptom appeared in them of any unwillingness to submit to their new master. A young prince of a common spirit would have now reposed for some time, to enjoy the pleasures of love, and the pride of dominion, in ease and tranquillity. But, to a great mind, every new acquisition of power is only a step to some higher view of ambition. It was in this light that Henry saw the possession he had gained of the dutchy of Aquitaine. He considered it as the means of recovering England ; and instead of laying his ambition asleep in the arms of his agreeable bride, he determined not to let the summer pass over, without vigorously prosecuting his claim to that kingdom.

v. Gul.
 Neub. l. i.
 p. 22.

The civil war, by the superiority which Stephen had gained, had a little abated its fury : but the worst evils, occasioned by it, continued still unrestrained. Obedience and discipline were lost in both parties. After Henry's retreat from Scotland

land his friends had no leader, who had authority enough to controul them ; nor was Stephen better able to govern his faction. The English nation had many tyrants, but no king. Liberty was destroyed; and licentiousness reigned in its stead. The nobles, who had fought under the banner of Stephen, became more insolent from his success, but shewed an unwillingness to render that success complete and decisive; lest, by putting an end to the troubles, they should put an end to their own power in their several counties, or be accountable for the abuse they had made of it in those times of publick confusion. His mercenaries also protracted the war from the same motive, and supported themselves by rapine; for he could not maintain them; having not only wasted the great treasure laid up by his frugal predecessor, and all that he had been able to extort from his subjects, but alienated most of the demesnes of the crown. Among other bad expedients to answer his wants, he had miserably debased the coin of the kingdom: yet neither that, nor an universal venality of offices, benefices, dignities, honours, could supply the expence of so many foreign troops, as he still thought it necessary to keep in his service. They were unpaid, and consequently ungovernable: refusing all discipline, and tearing from the people, by all the violence of military force, the money which they could not get from the king. Nor did the clergy expect from him a less unbounded complaisance than the army. It was *by them* that he reigned, and *for them alone* would they allow him to reign. Some further encroachment on the civil authority was daily made; some new immunity, privilege, or jurisdiction claimed, in behalf of the church. Not only the prelates and great nobles insulted the crown, and invaded its prerogatives, in this time of its weakness; but *of a castle arrogated*

Neubrig. ut
supra. See
also Gest.
Steph. regis
& Bromp-
ton.

gated to himself a royal power in his own district, exercising all judicature, both civil and criminal, and even coining of money, in his own name. These petty sovereigns were continually at variance one with another ; and as much blood was shed in their particular quarrels, as in the great contest between the houses of Anjou and Blois. They even hired foreign mercenaries, after the example of Stephen, to wage their wars for them ; and when the money was wanting, instead of pay, or subsistence, they gave them the pillage of lands and houses. The best men of both parties were most exposed to these depredations ; nothing in such times being more unsafe than moderation and love of peace. As there was no power remaining in the laws, or the magistrate, for the redressing of wrongs ; every man, who was, or supposed himself to be injured, sought redress from his own hands, or those of his friends : and thus no crimes were punished, unless by other crimes of a more dangerous nature, such as perpetuated disorder and discord, and tended to the entire dissolution of government. Out of this wretched state there was no hope of drawing the nation, but by Henry's recovering the throne of his ancestors.

Chron.
Norm. p.
985.

The earl of Cornwall, his uncle, a little before his marriage with Eleanor, had gone over to him in Normandy, deputed by all his English friends (among whom were some, whose correspondence with him was not suspected by Stephen) to importune him to come and put himself at their head : whereupon he had summoned the great council of Normandy to meet him at Lisieux, as they had done the year before, about the same business. But he was drawn from thence, in the midst of their consultations upon it, by the agreeable invitation he received from Poic-

ton,

tou, and detained some time in those parts, by the solemnization of his marriage, and by the homage he was to receive in consequence of it, from his new subjects there. As soon as he possibly could, he returned into Normandy, no less eager to engage in his enterprize upon England, than he had been to obtain the possession of Eleanor and the dutchy of Aquitaine. His ardour was well seconded by the zeal of his subjects: a great force was raised in all his territories on the continent; and he was preparing to embark with it, at Barfleur, about the middle of July; that is, in less than two months after the day of his marriage; when he was stopped by a formidable war, which, like a sudden hurricane, burst upon him at once, in Normandy and in Anjou, and threatened all his other dominions in France. There were confederated against him Louis, his sovereign; the earl of Dreux, that king's brother; Eustace, Stephen's son; the young earl of Blois; and his own brother, Geoffry Plantagenet. These princes had secretly made a treaty of partition, by which they agreed to divide all his territories on the continent among themselves. The resentment of Louis upon account of his marriage, and a desire to recover by force the dutchy of Aquitaine, induced him to engage in this iniquitous league. The earl of Dreux, having married the widow of Rotrou, late earl of Perche, and enjoying that earldom, as administrator or guardian, during the infancy of her son, had some disputes with Henry, as duke of Normandy, about certain castles; from which cause, but still more from a view of advancing his fortune, which did not answer the height either of his birth or his mind, he also sought to share in the spoils of the prince. Eustace most gladly embraced the opportunity of trying to recover the dutchy of Normandy, thinking that Louis would

support

V. Chron.
 Norm. sub
 ann. 1143.
 & 1151.

support him with more constancy now, than he had done heretofore; as his animosity against Henry was greater. The earl of Blois might be incited by several motives to join in this alliance; by his near relation and friendship to Eustace; by a hope of obtaining the favour of his sovereign, in assisting his revenge; by some anger against Eleanor for having refused him, and against Henry for being preferred to him; or by the desire of enlarging his territories with part of Anjou. The

V. Neubrig.
p. 385.

most extraordinary circumstance attending it was, that Henry's own brother should be combined in a league which proposed his destruction. He could assign no pretence for it, except that, according to the will of his father, he was to be put in possession of all the Angevin territories, as soon as Henry should be possessed of his mother's inheritance. But this included England, as well as Normandy, and therefore his claim was premature: nor was there a shadow of justice to excuse him, for such an unnatural and impious attack upon a good and kind brother. Perhaps he dreaded the resentment of Henry for his intended rape of Eleanor at Port de Piles, and sought to secure himself by a greater offence, as guilty men are often impelled to do. But it is more probable that ambition alone was his motive; the small portion he then enjoyed not being sufficient to satisfy a mind which aspired to greatness. Whatever temptation he may have had to this act, it was in itself most atrociously criminal, and such as even those, with whose designs he concurred, must, in their hearts, have detested. Nevertheless he allured to his party some of the Angevin barons, and by their assistance gained possession of two or three castles in Anjou; while his confederates marched into Normandy, and there besieged Neufmarché, a strong frontier town between Gournai and Gisors. When the news of this

inva-

Chron.
Norm.
p. 968, 987.
Gerv.
Chron. sub
ann. 1152.
Hunt. f. 1
226. c. 20.

invasion was brought to the duke, he quitted immediately his design upon England, and marched with his army, who were the flower of Normandy, Anjou, and Guienne, to give battle to Louis, in order to oblige him to raise the siege : but, before he could arrive, the town was surrendered, by the treachery of the garrison. The whole dutchy of Normandy seemed to be now in great danger ; and all men expected that Henry would have sunk under so powerful a confederacy ; as he had not one ally to assist him against them. Yet, notwithstanding the number and strength of his enemies, the suddenness of the attack, and the loss of a place which had been a bulwark to his frontier, he stopped their arms ; and so protected his country, by an able disposition of the troops he had with him, and by the strong reinforcements which came to him from all his other dominions, that the confederates every where retired before him, and were constrained to quit the dutchy, after having seen him not only defeat their attempts, but ravage the adjacent demesnes of Louis, and burn some of his castles, without their daring to give him battle. Upon their retreat out of Normandy, he left such a force, as he thought would be sufficient to defend it against them, if they should return ; and carried his arms into Anjou, to oppose the revolt which Geoffry Plantagenet had excited in those parts. This he performed with such vigour and success, that, having taken the strongest castle belonging to that prince, he soon compelled him to sue, in the most submissive manner, for a reconciliation. Nor would he grant him any other terms than barely a pardon. For, however expedient it might be, in the present conjuncture, to pacify Anjou, he did not think it adviseable to encourage his brother to make another war upon him in times to come, by allowing him to draw any advantage from this.

Vid. auctores citat. ut supra.

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The insurrection in that province being entirely suppressed, within less than six weeks after its first breaking out, peace was happily settled there; and Henry returned into Normandy, which the confederates had attacked in his absence, but without being able to do any thing of importance. They perhaps had expected that the Norman nobility would not have adhered so generally and constantly to him, as they did upon this occasion, and were discouraged in their enterprize by that disappointment. It is certain, they acted with very little spirit; and Louis falling ill of a fever, to which distemper he had lately been subject, his army mouldered away by frequent desertions; so that, when he recovered, he was forced to retire to Paris, where he opened a negociation for peace with Henry: it being his temper to grow soon very weary of a war, in which he met with any difficulties, or ill success, the *holy war* only excepted. That prince received these overtures with great satisfaction, wishing to see all disturbances in France composed, that he might be able to pursue his design upon England. A cessation of arms was therefore agreed on between them, the earl of Blois being also comprehended therein: and the unfortunate Eustace returned to England, without any other benefit from this expedition, than the possession of the town of Neufmarchè, which Louis delivered to him. Henry, who had been threatened with the loss of all his territories, was secure and triumphant. His very enemies loudly extolled the intrepidity and good conduct shewn by him, in thus maintaining himself against the efforts of so formidable an alliance; which, being the first great occasion of exerting his talents, was decisive to his character, and gave him a reputation, that helped him to gain the English throne, more than all the intrigues of his party in that king-

Vid. au^{to}ro-
res citat.
ut supra.

kingdom. But, as he had not yet concluded a peace with Louis, he laid aside all thoughts of going over to England, till the next year. In the mean time, he endeavoured to sooth that monarch, by proper marks of respect, and protestations of affection to his person and service; desiring no triumph over him, but only peace with his favour; and representing to him, that he had really no just cause to complain of his marrying Eleanor, who, divorced, was free to dispose of herself in another marriage; as she had not given her hand to an enemy of the king, nor even to a foreigner, but to his friend and his vassal. There was great prudence in this language, and it made an impression upon the mind of Louis, which from this time began to mitigate its rancour towards him. What conditions of peace that monarch had proposed we are not told. He probably wanted to have some parts of Aquitaine yielded to his daughters, that they might not be deprived of all the inheritance, which he had hoped they would receive from the dutchess, their mother. But Henry determined to keep the whole for himself and his children, according to the articles of his marriage-contract with Eleanor, and gave only fair words to appease the king of France. This for some time delayed the conclusion of the peace, though the truce was still continued; and, during the negociations, Henry recompensed the fidelity, which most of his barons had lately displayed in his service, with great generosity; knowing how advantageous it is for a prince to be accounted a liberal rewarder of merit. He was particularly bountiful towards his new subjects of Poictou and Guienne, who had stood very firm to him in this time of trial.

While he was thus prudently fortifying himself against future attacks, by the most certain defence, the hearts of his people, Stephen was endeavouring

ing to find other methods of securing to Eustace, his eldest son, the succession to his kingdom. In order thereto, upon the return of that prince out of Normandy, he tried to cause him to be crowned king of England together with himself. By this means he hoped to bar the pretensions of Henry, not only in his own life-time, but after his death. The thing was new in this country; and, even if the nation had been united, it would have required great power, and very skilful management, to obtain their consent to it. But the circumstances of the time were so unfavourable to Stephen, and his authority was yet so unsettled, that he had not the least encouragement to make the attempt. Nevertheless he undertook it, as he did all his enterprises, with more ardour than judgment; and calling together as many of the barons as paid him obedience, proposed it to them, and to the spiritual lords; never reflecting, that, although they had agreed unanimously to it, the act of a party could not have been considered as the act of the nation, and therefore would not afterwards have prevented a dispute about the succession. But he could not induce even this shadow of a parliament to comply with his desire. The bishops, with one voice, refused their consent, the pope having sent letters to the archbishop of Canterbury, absolutely forbidding him to raise to the throne the son of a king, *who against his oath had usurped the kingdom*. Thus was Stephen declared by Rome a perjured usurper, notwithstanding the former bull confirming his title by the authority of that see, the decisions of which most shamefully varied, according to the interests or passions of the pontiffs. This was the effect of the intrigues carried on between Pope Eugenius and the archbishop of Canterbury, the origin of which has before been mentioned.

Gervase ut
supra. Hun-
tingdon, sub
ann. 1151.
i. c. 17.
Steph. Reg.

Stephen

Stephen now saw what he had not yet apprehended, how totally he had lost the affections of the clergy, and how far their intelligence with Henry had gone. It is very surprising, that even his own brother, the bishop of Winchester, would not support him in this business. I presume he was influenced, not only by the fear of offending the pope, but by some secret regards he had for Henry. The rage of the king and of his son rose even to frenzy, when they found their design thus defeated by the bishops, and for a reason more offensive than the disappointment itself. To conquer their obstinacy, Stephen gave orders, that they should not be suffered to leave the house they were in, till they yielded to his demand. A consent so extorted by terror and violence would have been annulled by the pope, and could have been of no advantage to Eustace, had it been gained. But most of the prelates were firm in refusing to give it, even at the peril of their lives, and above all the archbishop of Canterbury. After some time, by a neglect in guarding the house, which probably was owing to corruption, or to private orders from the king, the primate got out, and made his escape into France. His brethren were then set at liberty ; but their temporalities were all seized to the use of the king ; which, however, he soon restored, retaining only those of the fugitive archbishop. And he was compelled, not long afterwards, to recal that prelate to his see, by a sentence of excommunication and interdict, which, if this was not done within a limited time, Eugenius had enjoined the bishops of England to pass on their sovereign, and all parts of the kingdom which acknowledged his authority, without appeal.

Thus ended this business, to the no small dishonour both of Stephen and Eustace : but youth
and

V. Annales
Waverl.
sub ann.
1152.

and inexperience made it much more excusable in the son than in the father. The only benefit which Eustace obtained by it was, that the earls and temporal barons, who attended this convention, did homage and swore fealty to him, as heir to the crown : but, the bishops not concurring with them, it was hardly worth his while to receive such an imperfect acknowledgment of a title, which future events alone could enable him to make good.

The very offensive behaviour of the see of Rome and the English prelates, in this affair, made Stephen feel with more uneasiness, how much danger might arise to the general weal of his kingdom, from the encreasing influence of the papacy over the minds of his clergy. His attention was more especially led to one point, the consequences of which his wisest counsellors very justly apprehended. The law of England being a barrier against the whole system of papal power, the prelates, who were become subservient to that power, and continually appealed to it in the affairs of the church, had recourse to the canon and civil laws, the authority of which they endeavoured to exalt above that of the former. A professor of them, named Vacarius, was called over from Italy, in the year eleven hundred and forty eight, by the archbishop of Canterbury, and under his patronage they were taught in the archiepiscopal palace and the university of Oxford. Some of the books, brought, and commented upon, by Vacarius, contained notions and maxims very repugnant to those, on which the whole policy of the English government was erected. Stephen, from the necessity he thought himself under of courting the favour of Rome, had connived at this evil, but finding Eugenius implacable to him, and openly at war with him and his son, he now changed his conduct, and had the resolution to publish an edict, which silenced the professor,

V. Johan.
Salisb. Poli-
craticon, five
de Nugis
Curial. l.
viii. c. 12.
Gerv. Actus
Pont. Cant.
de Theobald.
Chron.
Norm. p.
983. D.
Arth. Duck
de usu et au-
thoritate
Jur. Civ.
l. i. c. 7.
art. 10, 11.
13.

feffor, and forbad the books. Yet little regard was paid to this prohibition. The clergy still perfifted to addict themselves more and more to the study of these laws ; and their implicit fubmiffion to the decifions and decrees contained in the books of canon law, particularly, in the collection called the *Decretum*, which had been published by Gratian in the year eleven hundred and fifty one, continued in this and many following reigns, even till the reformation of religion was compleated, to raife and fupport in them a fpirit of independence pernicious to fociety, and principles incompatible with the obedience they owed to the laws of their country.

V. Johan. Salifb. ut fupra, et epift. & Seden's Review of his book on Tythes.

Stephen, having thus acted above his own character, and according to the maxims of the trueft policy, while, perhaps, he only meant to fhew his resentment of the hoftile conduct of Rome, betook himfelf again to his military operations, upon which he now perceived that he muft folely depend for the future fupport of his government. Thofe of the two preceding years had not been very confiderable, nor fuch as one might have expected, when he was fo fuperior in ftrength to his enemies ; the caufe of which has before been told. During that time his chief exploit was the taking and burning of Worcefter, which city the earl of Meulant, to whom he had formerly given it, now held againft him. This nobleman had forfaken him, and aided Geoffry Plantagenet to finish his conqueft of the dutchy of Normandy, in the year eleven hundred and forty three, as I have related in writing the tranfactions of that year : foon after which he went to the Holy war, and was now returned into England. Stephen, more incensed againft him than againft any of the old friends of Matilda, afaulted the city of Worcefter, into which he had thrown himfelf, and having taken it by ftorm, gave

V. H. Huntingdon, fub ann. Steph. Reg. 15 et 16.

it up, to be pillaged by his soldiers, who set it on fire: but he could not take the castle, which the earl maintained very bravely. The next year he again besieged it with still greater forces, and was repulsed a second time: after which he had recourse to a less dangerous method of gaining his purpose, viz. the building two forts, to block it up; and leaving a part of his army under the command of some nobles, in garrison there, went back to London. This blockade would, in the end, have constrained the earl of Meulant to surrender his castle, for want of necessary provisions, if he had not been speedily relieved, by the help of the earl of Leicester, his mother's son; who, either by pretending an order from Stephen, whose party he never had left; or by some other artifice, not explained in the history of those times, caused the two forts to be demolished. And yet this lord was esteemed a man of virtue! Perhaps, finding himself suspected, on his brother's account, and remembering the fate of the earl of Essex and other noblemen in Stephen's party, who had been sacrificed to suspicion, he thought it necessary to consult his own safety, by keeping up the power of his family, and not suffering any part of it to be oppressed. Indeed the general conduct of the king had been such, as loosened all the bonds of truth and fidelity; and there was a contagion in the spirit of the times, which made men not ashamed of violating their faith, and gave to fraud and treason the reputation of prudence.

Stephen would naturally have called the earl of Leicester to an account for this action; but he had other more important affairs on his hands, particularly his design of crowning Eustace. When that had failed, he returned to the prosecution of the war, and, after a siege of some weeks, made himself master of the town and castle of Newbury.

This

This being accomplished, he turned his arms against Wallingford castle, the chief place next to Bristol, that now remained in the hands of his enemies. It could not be taken, but by famine ; and therefore he had constructed several forts round about it, to block it up. The principal of these, which he called the castle of Craumers, was very strong ; and he had left there a large garrison, to restrain that of Wallingford from making excursions. The latter, however, were not so entirely shut up, but that they still preserved a communication with the neighbouring country, by a bridge over the Thames, which ran close under the outward wall of the castle. In order to cut off this passage, and complete the blockade, Stephen erected a fort at the head of the bridge, which made it impossible for the troops that defended the castle either to go out for provisions, or receive any in ; and reduced them, in a short time, to grievous want. Brien Fitz-comte, their governor, who was a person of high rank and consideration in the party, seeing their condition so desperate, found means to send a message to Henry Plantagenet, desiring assistance from him without delay, or permission to surrender the castle to Stephen. That prince was much disturbed upon receiving this message, and greatly perplexed what part to take. It was now the depth of winter, a season very unfit for passing the sea ; and, a worse obstacle to it was, that he had not yet made peace with the king of France. Nevertheless, as he apprehended the total discouragement of his party in England, if he should suffer a place of such importance to be lost, he determined to go over, trusting to the truce between him and that prince, which he flattered himself he might soon convert to a peace, by being a little more yielding, than he had hitherto been, in the treaty. But, while he

V. Chron.
Norm. p.
987. C.
Neubrig. l.
i. c. 29.

was diligently preparing to execute this resolution, Louis, informed by Eustace of what consequence it would be to detain him in Normandy at such a critical time, sent to return the hostages, which he had received from him on account of the truce, and to take back those he had given: notifying thereby his intention of immediately renewing the war. Henry was now under still greater difficulties in determining his conduct. To leave his dominions on the continent exhausted of troops, when they were menaced with an instant invasion from so powerful a prince, he thought very imprudent, and absolutely repugnant to the maxim he had learnt from his father and grandfather, always to prefer the conservation of present and certain possessions to the pursuit of uncertain hopes. At the same time, his friends in England desired him to bring a great force to their aid; and to go with a small one would expose him to evident danger, and might, probably, hinder many from declaring in his favour, who would be willing to do so, if they should see him attended by a numerous army. The conjuncture appeared to be decisive. Stephen was now in a state of hostility with Rome and his bishops, a circumstance of the highest advantage to his enemies; that quarrel might be made up; Eugenius was old and likely to die very soon; another pope well disposed to the house of Blois might be chosen. The archbishop of Canterbury would think himself slighted and ill used, if Henry did not support him, but suffered the power of the king to encrease, when, in all probability, the whole strength of it would be exerted in punishing those, who had ventured to set him and his son at defiance. The bishop of Winchester also would be obliged to return to the interests of his brother, unless the part he had lately taken against him, in the very important affair of his son's coronation, was justified by the courageous proceedings of Henry.

ry. Nor was it only his friends among the clergy, whom that prince was afraid to lose, by neglecting this crisis. The earl of Chester's irresolution was not to be fixed, but by his presence in England; and, if he lost that potent lord, he lost the chief support of his party. The earls of Pembroke and Hertford would probably make their peace with Stephen, if they saw the affairs of that monarch in a prosperous state; and others would be deterred from declaring against him, upon whose aid the duke of Normandy knew he might count, if he could stop the present course of Stephen's success.

Among these the earl of Leicester was a principal object of his hopes and attention: for that nobleman had too much offended the king, not to desire to take from him the power of being revenged: but he would not engage with Henry in his absence, nor go any greater lengths towards a revolt, till he should see what support he would be likely to find in changing his party. The suffering Wallingford castle to fall into the power of Stephen, would be an indelible stain to the honour of Henry, and produce, not only fear and dejection of spirit, but coldness and alienation in all its adherents.

Having well weighed all these things, but chiefly consulting his own magnanimity, and rather, considering what was most honourable for him to do, than what was most safe, he determined to go into England, without losing a moment of time.

Yet, that he might not expose his territories in France to any danger, during his absence, he left behind him much the greater part of the forces, which he had intended to carry over with him, and embarked with a body of only three thousand foot and a hundred and forty knights; trusting that his presence would encourage his party to join him, and that he should be strengthened by almost a general defection from Stephen. He had a passage more favourable, than, from the season of the

A. D. 1153.
Chron.
Norm. et
Neubrig.
ut supra.

Ger.
Chron. sub
ann. 1153.
Neubrig. ut

supra. H.
Huntingd.
sub ann. 18.
Steph. Reg.
Chron.
Norm. p.
687, 688.
Ann. Wa.
verl. sub
ann. 1153.

year, he could well expect, and landed very happily, it is not said where, but probably at Wareham, on the sixth day of January, eleven hundred and fifty three. The king, I imagine, either had no fleet at that time, or had neglected to guard the sea between England and Normandy, from an opinion that Henry would be stopped by the war renewed against him in France.

As soon as the arrival of that prince was known, his mother's old friends, who had not yet made their peace with Stephen, immediately joined him: but they were somewhat disheartened at his not having brought a greater army; and those of the other party, who had given him hopes, that they would declare for him as soon as he landed, shrunk back from their promises, when they found that he was come no better attended. The bishops themselves, who had been more eager than any others in calling him over, remained unactive. A man of less resolution would have been intimidated and disconcerted at this disappointment: but he, full of confidence, endeavoured to raise the spirits of his friends by the alacrity of his own courage, and, having called a council of war, told them, he thought their strength sufficient to win the crown for him, and deliver themselves from the tyranny, under which they groaned, though not another man should stir to assist them: yet he did not question that they would presently be joined by great numbers, if they acted with vigour; whereas, if they discovered any symptoms of fear, they must despair of all support. He concluded by declaring, that he was resolved to undertake some considerable action, without loss of time; and desired them to advise him, what he should first begin with; as they were better acquainted, than he was, with the country. Hereupon they unanimously gave him their opinion, that he should lay siege to Malmesbury; a place which, if he could take it,

would

would greatly facilitate the relieving of Wallingford, and which they hoped he might make himself master of, by a sudden attack, before the king could draw his forces together. This counsel pleased him : he immediately marched, assaulted the town, and took it, in a very short time, together with the castle, except one tower, which being too strong to be taken by assault, he blocked it up, with a design of reducing it by famine. Stephen, who had intelligence of his having performed this spirited action, almost as soon as he heard of his landing in England, was much alarmed. He made all the haste he could to assemble his forces, and having formed a great army marched directly to the enemy, and offered them battle. But Henry, who was much inferior to him in numbers, kept himself close in his camp, which on one side was defended by the walls of the town, and on the other by the river Avon ; continuing still the blockade of the tower of Malmesbury, and avoiding to fight, unless Stephen should attack him ; which he could not do in such a post, without extreme disadvantage. That monarch, nevertheless, determined to risque it : for he found his army suffer much by the severity of the cold, and apprehended that delay would strengthen the duke. He therefore advanced to the river, with a resolution to pass it, though he saw the enemy all drawn up, in order of battle, on the opposite bank. But, as he came on, there arose a wintry storm, with violent showers of hail and sleet, which drove directly in the faces of his men, who, quite benumbed with the wet and cold, lost all use of their arms, all strength, and courage ; while those of the duke, having the wind in their backs, and being much better sheltered, suffered little by it. The river was swelled by the rains and rendered impassable ; so that Stephen, despairing now of any success, and unable to bear the inclemency of the

V. auſtorea
citat. ut ſu-
pra.

weather, which continued very bad, retired to London.

This had great consequences in favour of the duke. Soon afterwards the tower of Malmesbury was surrendered : the earl of Leicester declared for him : the countess of Warwick, whose husband was then dying, delivered to him that castle ; and thirty other strong places, in different parts of the kingdom, were likewise yielded up. The people all believed that Heaven fought for him ; a notion that did him much service. His force was now sufficient to enable him to attempt the relieving of Wallingford, which was the object that he had most at heart : nor would it suffer any longer delay ; the garrison being ready to perish with famine. He therefore marched thither, with all possible expedition ; and passed unmolested through the whole chain of forts, that Stephen had built round about it ; and re-victualled the castle : the garrisons of those places not daring to sally out, or give any obstruction to his enterprise. Having accomplished his purpose, he proceeded to besiege the castle of Craumers, the strongest of the forts above-mentioned. Accordingly, he drew lines of circumvallation about it, and extended them from thence to Wallingford castle. Thus he cut off all supplies from the garrison, and effectually prevented the siege, he was making, from being disturbed by incursions of the enemy's troops, out of the other smaller forts. He had leisure to complete these works, before Stephen, who staid some time at London to refresh and recruit his forces, was able again to take the field. At last that prince, having made the utmost efforts to collect his whole strength, marched towards Wallingford with an army more numerous than the duke's. Many of the barons attended his standard, and among them the earl of Arundel, a man famous for his eloquence no less than for his valour. William of

Ipres

*Vid. aucto-
res citat. ut
supra.*

Ipres was likewise there, at the head of the mercenaries. Foremost of all, and most eager to fight, was Prince Eustace, being fired, not only by the ardour of youth and great natural courage, but by strong emulation against Henry, the rival of all his pretensions. Both had, from their infancy, been bred up in expectation of the kingdom of England; both had been invested with the dutchy of Normandy; both had married wives of the first rank in Europe; their age was the same; their valour equal: but in wisdom, in knowledge, in the decency and the dignity of his behaviour, in all the virtues of civil life, Henry was vastly superior to Eustace.

As soon as the former had intelligence that the king was coming against him, he made a sudden sally out of Wallingford castle, and took by storm the fort at the head of the bridge, which Stephen had erected the year before. Having thus opened to himself a free passage over the river, and a communication to the castle with the country on that side, he threw down his lines, and marched out, with great alacrity, to meet the king and give him battle. For, though inferior in numbers, yet, as the disparity was not very great, he thought it more prudent, as well as more for his honour, to brave the enemy in the field, than to wait for him behind intrenchments; an army being much stronger, by the spirit, and confidence in its own valour, which an animating conduct inspires, than by the uncertain defence of ditches and ramparts. Nor yet did he totally raise the siege he had formed, but left a sufficient force to continue the blockade of the castle of Craumers, till he should return. He had not gone very far, when, in the midst of a wide and open plain, he found Stephen encamped, and pitched his own tents within a quarter of a mile of him, preparing for a battle with all the eagerness, that the desire of empire
and

Vit. auctores citat. ut supra.

and glory could excite, in a brave and youthful heart, elate with success. Stephen also much wished to bring the contest between them to a speedy decision: but, while he and Eustace were consulting with William of Ipres, in whose affection they most confided, and by whose private advice they took all their measures, the earl of Arundel, having assembled the English nobility, and principal officers spoke to this effect.

“ It is now above sixteen years, that, upon a
 “ doubtful and disputed claim to the crown, the
 “ rage of civil war has almost continually infested
 “ this kingdom. During this melancholy period
 “ how much blood has been shed ! What devastations
 “ and misery have been brought on the people !
 “ The laws have lost their force, the crown
 “ its authority : licentiousness and impunity have
 “ shaken all the foundations of public security.
 “ This great and noble nation has been delivered a
 “ prey to the basest of foreigners, the abominable
 “ scum of Flanders, Brabant, and Bretagne, robbers
 “ rather than soldiers, restrained by no laws,
 “ divine or human, tied to no country, subject to
 “ no prince, instruments of all tyranny, violence,
 “ and oppression. At the same time, our cruel
 “ neighbours, the Welch and the Scotch, calling
 “ themselves allies or auxiliaries to the empress,
 “ but in reality enemies and destroyers of England,
 “ have broken their bounds, ravaged our borders,
 “ and taken from us whole provinces, which we
 “ never can hope to recover, while, instead of
 “ employing our united force against them, we
 “ continue thus madly, without any care of our
 “ publick safety or national honour, to turn our
 “ swords against our own bosoms. What benefits
 “ have we gained to compensate all these losses,
 “ or what do we expect ? When Matilda was
 “ mistress of the kingdom, though her power
 “ was not yet confirmed, in what manner did
 “ she

“ the govern ? Did she not make even those of
“ her own faction, and court, regret the king ?
“ Was not her pride more intolerable still than his
“ levity, her rapine than his profueness ? Were
“ any years of his reign so grievous to the people,
“ so offensive to the nobles, as the first days of
“ her’s ? When she was driven out, did Stephen
“ correct his former conduct ? Did he dismiss his
“ odious foreign favourite ? Did he discharge his
“ lawless foreign hirelings, who had so long been
“ the scourge and the reproach of England ? Have
“ not they lived ever since upon free quarter, by
“ plundering our houses and burning our cities ?
“ And now, to compleat our miseries, a new ar-
“ my of foreigners, Angevins, Gascons, Poicte-
“ revins, I know not who, are come over with
“ Henry Plantagenet, the son of Matilda ; and
“ many more, no doubt, will be called to assist
“ him, as soon as ever his affairs abroad will per-
“ mit ; by whose help if he be victorious, Eng-
“ land must pay the price of their services : our
“ lands, our honours, must be the hire of these
“ rapacious invaders. But suppose we should
“ have the fortune to conquer for Stephen, what
“ will be the consequence ? Will victory teach
“ him moderation ? Will he learn from security
“ that regard to our liberties, which he could not
“ learn from danger ? Alas ! the only fruit of our
“ good success will be this ; the estates of the earl
“ of Leicester and others of our countrymen, who
“ have now quitted the party of the king, will be
“ forfeited ; and new confiscations will accrue to
“ William of Ipres.
“ But let us not hope, that, be our victory ever
“ so compleat, it will give any lasting peace to this
“ kingdom. Should Henry fall in this battle,
“ there are two other brothers, to succeed to his
“ claim, and support his faction, perhaps with less
“ merit,

“ merit, but certainly with as much ambition as
“ he. What shall we do then to free ourselves
“ from all these misfortunes?—Let us prefer the
“ interest of our country to that of our party, and
“ to all those passions, which are apt, in civil dif-
“ fensions, to inflame zeal into madness, and ren-
“ der men the blind instruments of those very
“ evils, which they fight to avoid. Let us pre-
“ vent all the crimes and all the horrors that at-
“ tend a war of this kind, in which conquest itself
“ is full of calamity, and our most happy victories
“ deserve to be celebrated only by tears. Nature
“ herself is dismayed, and shrinks back from a
“ combat, where every blow that we strike may
“ murder a friend, a relation, a parent. Let us
“ hearken to her voice, which commands us to
“ refrain from that guilt. Is there one of us here,
“ who would not think it a happy and glorious act,
“ to save the life of one of his countrymen? What
“ a felicity then, and what a glory, must it be to
“ us all, if we save the lives of thousands of Eng-
“ lishmen, that must otherwise fall in this battle,
“ and in many other battles, which, hereafter,
“ may be fought on this quarrel? It is in our pow-
“ er to do so.—It is in our power to end the con-
“ troversy, both safely and honourably; by an
“ amicable agreement; not by the sword. Ste-
“ phen may enjoy the royal dignity for his life,
“ and the succession may be secured to the young
“ duke of Normandy, with such a present rank in
“ the state, as befits the heir of the crown. Even
“ the bitterest enemies of the king must acknow-
“ ledge, that he is valiant, generous, and good-
“ natured: his warmest friends cannot deny, that
“ he has a great deal of rashness and indiscretion.
“ Both may therefore conclude, that he should
“ not be deprived of the royal authority, but that
“ he ought to be restrained from a further abuse
“ of

“ of it ; which can be done by no means, so cer-
“ tain and effectual, as what I propose : for thus
“ his power will be tempered, by the presence,
“ the counsels, and influence of prince Henry ;
“ who, from his own interest in the weal of the
“ kingdom, which he is to inherit, will always
“ have a right to interpose his advice, and even
“ his authority, if it be necessary, against any fu-
“ ture violations of our liberties ; and to procure
“ an effectual redress of our grievances, which we
“ have hitherto expected in vain. If all the
“ English in both armies unite, as I hope that
“ they may, in this plan of pacification, they
“ will be able to give law to the foreigners, and
“ oblige both the king and the duke to consent to
“ it. This will secure the publick tranquillity,
“ and leave no secret stings of resentment, to ran-
“ kle in the hearts of a suffering party, and pro-
“ duce future disturbances. As there will be no
“ triumph, no insolence, no exclusive right to fa-
“ vour, on either side ; there can be no shame, no
“ anger, no uneasy desire to change. It will be
“ the work of the whole nation ; and all must wish
“ to support what all have established. The sons
“ of Stephen indeed may endeavour to oppose it :
“ but their efforts will be fruitless, and must end
“ very soon, either in their submission, or their
“ ruin. Nor have they any reasonable cause to
“ complain. Their father himself did not come
“ to the crown by hereditary right. He was elect-
“ ed in preference to a woman and an infant, who
“ were deemed not to be capable of ruling a king-
“ dom. By that election our allegiance is bound to
“ him during his life : but neither that bond, nor
“ the reason for which we chose him, will hold, as
“ to the choice of a successor. Henry Plantagenet
“ is now grown up to an age of maturity, and
“ every way qualified to succeed to the crown.
“ He is the grandson of a king whose memory is
“ dear

“ dear to us, and *the nearest heir male to him in*
“ *the course of descent*: he appears to resemble
“ him in all his good qualities, and to be worthy
“ to reign over the Normans and English, whose
“ noblest blood, united, enriches his veins. Nor-
“ mandy has already submitted to him with plea-
“ sure. Why should we now divide that dutchy
“ from England, when it is so greatly the interest
“ of our nobility to keep them always connected?
“ If we had no other inducement to make us de-
“ sire a reconciliation between him and Stephen,
“ this would be sufficient. Our estates in both
“ countries will by that means be secured, which
“ otherwise we must forfeit, in the one, or the
“ other, while Henry remains possessed of Nor-
“ mandy: and it will not be an easy matter to
“ drive him from thence, even though we should
“ compel him to retire from England. But, by
“ amicably compounding his quarrel with Stephen,
“ we shall maintain all our interests, private and
“ publick. His greatness abroad will encrease the
“ power of this kingdom: it will make us re-
“ spectable and formidable to France: England
“ will be the head of all those ample dominions,
“ which extend from the British ocean to the Py-
“ renean mountains. By governing, in his youth,
“ so many different states, he will learn to govern
“ us, and come to the crown, after the decease of
“ king Stephen, accomplished in all the arts of
“ good policy. His mother has willingly resigned
“ to him her pretensions, or rather she acknow-
“ ledges that his are superior: we therefore can
“ have nothing to apprehend on that side. In eve-
“ ry view our peace, our safety, the repose of our
“ consciences, the quiet and happiness of our pos-
“ terity, will be firmly established by the means I
“ propose. Let Stephen continue to wear the
“ crown that we gave him as long as he lives; but
“ after his death let it descend to that prince, who
“ alone

“ alone can put an end to our unhappy divisions.
 “ If you approve my advice, and will empower
 “ me to treat in your names, I will immediately
 “ convey your desires to the king and the duke.”

The earl of Arundel undoubtedly acted in concert with the principal men in both armies. His speech was received with great applause. The impression it made upon the nobles and gentry was soon communicated to the soldiers, and produced in their minds a sudden change. Those, who before had been the most ardent to fight, now threw down their arms, and loudly declared their wishes for a peace, on the foundations which the earl had marked out. Seeing these good dispositions so general in them, and being sure of a support from the most powerful barons, he proposed it to the king with a tone of authority, rather than of counsel. William of Ipres and his troops, surprized at this novelty, inferior in numbers to the English of their own party, and apprehending a junction of the two armies, stood in suspense and silence, looking on the king, and waiting his orders. Astonishment, rage, and indignation choaked up the speech of Eustace. Stephen, amazed, confounded, intimidated, after some pause and conflict in his mind, yielded to an immediate cessation of arms, and to a conference with the duke, in order to a treaty, which he was sure would end in nothing, but loss and dishonour to himself and his family.

The earl of Arundel then proposed to the duke and his army what he had opened to the king: but, in order to secure the success of his business, he had sent before him some monks and other ecclesiasticks, to negotiate in private, with the English nobility there, and dispose them to back his proposal. He had, himself, a secret intelligence with some of the greatest, and knew that the measure was agreeable to them, and would be strongly supported by their concurrence. The duke at first

v. auctores
cit. ut supra.

Vid. auctores
citatos
ut supra.

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was very averſe to it, and reſolved to gain or loſe all, as the fortune of war ſhould decide : for Stephen being yet under fifty years old, and of a vigorous and hale conſtitution, might live many years : and therefore to grant ſo long a term to a reign, which Henry thought an unjuſt and violent uſurpation, ſeemed to him very hard. Nor could his ſtrong ſenſe and clear judgment be induced to believe, that any ſincere or laſting peace would be procured by this means. But fearing to be abandoned by all his Engliſh friends, whom the earl of Arundel's eloquence, and ſecret intrigues, had rendered unanimous in deſiring a treaty, he at laſt was perſuaded, though with the utmoſt reluctance, to conſent to the interview, which the king had agreed to, within a little diſtance from their two camps. They met upon the oppoſite banks of the Thames, which there is very narrow, and conferred together, a long time, without any attendants.

It is ſaid, that they mutually complained to each other of the treachery of the barons, and of their inſolence in preſuming to dictate ſuch terms to their maſters. What further paſſed is unknown : but they parted without any deciſive agreement ; only a ſhort ſuſpenſion of arms having been ſettled between them, which, not entirely to oppoſe the deſires of his friends, Henry had yielded to, on this advantageous and honourable condition, that the king himſelf ſhould demolish the caſtle of Craumers.

The greateſt obſtacle to a peace was prince Euiſtace. He, who had a ſpirit as high as his birth and pretenſions, ſaw himſelf, if this plan ſhould take effect, reduced to the obſcurity of a private condition ; or, at beſt, to the two earldoms of Boulogne and Mortagne ; after having loſt the dutchy of Normandy, and the kingdom of England. Such a degradation appeared to him the worſt

worst of evils; and resentment having enflamed his natural courage to a disregard of all danger, without knowing well by what methods to oppose it, he absolutely determined not to submit to it. At his father's return from the conference, he upbraided him bitterly, for having had the abject complaisance to treat with his enemy, according to the dictates of his mutinous subjects. He told him, ^{Gerv. ut sapra.} "that, by listening to such a proposal, he would sacrifice, not only his son, but himself, to a vain shadow of peace, and to the mere name of royalty deprived of all its powers and majesty: that a successor forced upon him, so injuriously to his family, and to his royal dignity, would be, in reality, his master and king: that it would have been better to have died, with his sword in his hand, at the head of his foreign troops, who were still faithful to him, than have timidly submitted to such an indignity: that for his own part, he protested against this treaty, and would make no peace with Henry, while he could get an arm to strike for him, in England, or in France: nor would he stay any longer to be a witness of the weakness and servitude of his father." Having thus vented his indignation he broke away suddenly, without deigning even to wait for any reply; and taking along with him the knights of his household, and all who were particularly attached to his person, repaired to Cambridge. He staid there some time, and found means to draw together, beneath his own standard, several persons of desperate fortunes and minds, to whom civil war was a benefit and a security, designing, with their assistance, to act for himself, and render the proposed accommodation more difficult.

The cessation of arms, agreed to between Stephen and Henry, being expired, the war was renewed, though not with great alacrity on either

H. Huntingd. Chron.
Norm. Neubrigenfis, et
Gerv. ut fupra.

side, as the negotiations for peace were still carried on, and the leading men, in both parties, concurred very zealously to promote their success. A detachment of the king's troops, commanded by William de Quercy, governor of Oxford, by the brave William Martel, and by Richard de Lucy, coming to make an incursion into the country possessed by Henry, he put himself at the head of a body of forces sent to his assistance by some of the bishops, met this party on their way, attacked and defeated them, took twenty knights, and pursued the rest as far as Oxford. After this action, his light-armed troops over-ran and pillaged the country. At their return to his camp, they brought in a great booty : but he commanded it all to be restored to the persons from whom it was taken, saying, *It was not to plunder the people, but to deliver them from the rapine of the great, that he came into England* : words of more use to him than many such victories, and which he most effectually and honourably fulfilled, during the whole course of his following reign. Nor did he only gain the commons. Many of the nobility, one after another, forsook Stephen's party, and came over to his ; even some, who had been, hitherto, most averse to his cause : but all were desirous of a treaty on the terms the earl of Arundel had proposed. Nevertheless the spirit of the king, awakened by the reproaches of a son whom he loved, appeared to be now determined against the conclusion of an accommodation, so ignominious to himself, and so ruinous to his family : in which dispositions he attacked the earl of Norfolk, who had declared for the duke ; and laid close siege to Ipswich castle. Henry, to draw him away from that enterprize, besieged the town of Stamford, which he took in a few days, and invested the castle. The garrison there sent notice to the king, that, if,

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by a certain time, he did not relieve them, they must be obliged to yield it up. But he refused, either to come to them, or send any succours: upon which answer they delivered the castle to Henry, who marched from thence, to raise the siege of Ipswich castle. He had not got far, upon his road to that fortress, when he received the news of its having capitulated; a loss which he felt with some regret, though, certainly with much less than such a misfortune would have caused, if the place had belonged to a better friend; the earl of Norfolk being one in whose fidelity neither party could put any trust. Henry did not attempt to recover it from the king, but turned northwards again, and came before Nottingham, which he took by storm, and thus kept up the reputation of his arms, which prospered in all parts where he acted himself: but Nottingham castle being exceedingly strong, both by nature and art, he would not engage himself, at this time, in the siege of it; nor did he form after this any enterprise; an event having happened during the course of these actions, which made such operations less necessary, and greatly facilitated the treaty begun on the earl of Arundel's plan.

Eustace, who had collected a force sufficient to take the field, marched out from Cambridge, a little before the feast of St. Laurence, intending to join the king, his father, at Ipswich; or to attempt something himself against the earl of Norfolk, whose power in those countries was still very great. When he came to St. Edmond's-bury, he demanded of the monks, belonging to that convent, a sum of money, to pay his men: but not obtaining any from them, he fell into a furious rage, and instantly leaving their house, commanded his soldiers, who were in want of subsistence, to cut down the ripe corn all round the town, particularly what belonged

Ger. ut supra, sub ann. 1153. Neubrig. ut supra.

to the abbey, and bring it into his camp. He had scarce seen this order executed, when he was seized with a burning fever and frenzy, of which he died in a short time. It may well be presumed, that his distemper proceeded from the violent agitation his mind had been in, and from the heat of the weather, at that season of the year : but the monks did not fail to suppose that it was a judgment of heaven upon him, for having sacrilegiously plundered their fields. He was of a character to make his loss regretted by none, who had any real concern for the good of the publick. Yet his nature was not utterly void of all virtues ; but it was miserably depraved by a bad education. He had been bred, even from his cradle, amidst the licentiousness, cruelty, and impiety of a long civil war ; without proper care, in those to whose tuition his youth was committed, to preserve him from the contagion of such pestilent times, by opposing good instructions to evil examples. As he grew up, he became dissolute, fierce and intractable. A low taste of pleasure carried him into mean company : so that he wasted a great part of his time with buffoons, and all the scum of a loose court or disorderly camp ; which vile society debased his mind, and corrupted his heart. Otherwise he might have been capable of doing great things : for he possessed, with the activity and courage of his father, a more determined resolution ; and discovered, in the earliest bloom of his youth, such talents for war, as gained the admiration even of the oldest commanders. To his friends he was affable, courteous, and liberal ; but his bounty was too often extended to persons, whose only merit was serving his vices. Upon the whole, he seemed made to perpetuate the mischiefs, that England endured under the reign of his father, and perhaps to encrease them.

*v. Johan.
Sarif. Pol-
cratic. five
de Nugis
Curialium,
l. vi. c. 18.*

*Gest. Steph.
Reg. p. 973.
974.*

*Johan. Sa-
rif. Policat.
ut supra.*

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His death removed the greatest impediment to the peace of the kingdom; and the settlement of it was advanced, in a lower degree, by that of his dearest friend, the young earl of Northampton, who also died, in the same week, of a fever. Stephen had given that lord the earldom of Huntingdon, upon the decease of Henry, prince of Scotland, not long before; and his apprehension that the duke would restore it to Malcolm, the eldest son of that prince, made him very averse to any treaty between him and the king. Another cause, that might render him implacable to the duke, was a grant the latter had made to the earl of Chester of some of his possessions, if he did not take part with him in the war against Stephen. Nothing shews more the spirit of the times and the character of the earl of Chester, than the manner in which he had treated with the duke, when that prince came to England. Notwithstanding the bitter rancour of his heart against Stephen, and the engagements he had taken with Henry in Scotland, he did not declare for the latter, till, by a covenant in the form of a charter, he had granted to him the city and county of Stafford, Nottingham castle, Derby, and Mansfield, with many great baronies. Of these grants some were absolute, and others conditional, if the persons by whom they were possessed at that time, would not join with the duke. For such was the miserable state of the kingdom in this intestine war. The barons on either side were treated as rebels by the opposite party. Besides what was given to the earl of Chester himself, Henry promised to give to six of his vassal barons, lands of one hundred pounds annual value to each, out of the estates he should gain from his enemies. These were high terms; one hundred pounds in those days being equivalent, at least, to fifteen hundred at present: but the power of the earl was so great, that Henry could hardly buy him

V. Jorval,
P. 975. B.
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V. Dugdale's
Baron, p. 39.
ex ipso au-
tog. in Bibl.
oth. Cotton.
& Rymer's
Fœdera, vol.
i. p. 12.

Gerv.
Chron. sub
ann. 1153.

him at too dear a price : and as he formerly had sold his allegiance, both to Stephen and Matilda, so he now bargained for it, a third time, with the duke, and at every sale raised the price. But he apprehended that these grants would be revoked and annulled, if the earl of Arundel's plan should be accepted. He therefore wished to obstruct the treaty, or at least to maintain his own power independent of either prince, by acting separately, and only for himself ; hoping that both would be constrained, by this conduct, to grant him any conditions, that he might not be an obstacle to the peace of the kingdom, which could not be tolerably settled without his concurrence. But, while he was pursuing this plan, he was poisoned by William de Peverel, whose lands Henry had granted to him in the above-mentioned charter, *unless*, as the words of that deed express it, *William could acquit himself of his wickedness and treason, by a fair trial, in a court of justice*. What the nature of this treason was, we are not informed ; but it must certainly have been something more heinous, than merely adhering to the party of Stephen ; perhaps an attempt against the life of the earl, to whom he was a vassal. His guilty conscience durst not abide a legal decision, but prompted him to take this villainous method of preserving his lands : for there was no kind of wickedness, into which the great profligacy of those lawless times did not draw even gentlemen of birth and distinction. Among the many evils that attend civil war, one of the worst is the universal corruption of manners, the hardness of heart, and familiarity with the most horrid crimes, which it never fails to produce, if it is of any continuance. The power of government being lost, all the bonds of society are quickly dissolved ; the passions of men become the rules of their actions ; and fear itself makes them flagitious and

and cruel. Some virtues indeed, which would otherwise be concealed, are called out into action by such commotions: but even these are often forced to accommodate themselves to the spirit of the times, further than the strict rules of integrity would allow in any other circumstances: so that nothing can be more pernicious to the morals of a nation than civil war, except that despotism which turns even the power of government to the destruction of virtue.

The earl of Chester being thus taken off, immediately after the death of the earl of Northampton and of Prince Eustace, there remained no other to oppose the earl of Arundel's scheme. The desire of quiet, and a relief from the miseries they had suffered so long, was enough to recommend it to the body of the people, who commonly look no further, in matters of state, than to their present ease and security. But some of the nobles and bishops had other views, of a more refined policy. H. Huntingd. f. 227. n. 30. The entire defeat, either of Stephen, or Henry, they thought would render the conqueror a more absolute master of them and the kingdom, than they desired: whereas, while one was afraid of the other, and the royal authority was divided between them, it could not be vigorously exerted by either; but each must be forced to depend upon his faction. Thus they proposed to govern both, and prevent A. D. 1153. any punishment of former offences, which most of them had abundant reason to fear, or any controul upon their future behaviour, which certainly they were little disposed to endure. The bishop of Winchester acted wholly upon this system.

If the abilities of that prelate had not been very great, his frequent change of party must have destroyed his credit and influence: but he managed so skilfully, that, which way soever his own interest led him, he seemed only to follow that of the

church. A constant pretence of zeal for the cause of religion excused and sanctified his ambition, his treachery, his frequent breach of the most solemn oaths, and all the obligations of duty or nature. He had indeed, for some time past, been under a cloud, and much humbled by the mortifications he had received from the enmity of Eugenius the Third : but the death of that pontiff, which happened in this year, having delivered him from that persecution, the archbishop of Canterbury was obliged to admit him into a participation of all ecclesiastical power in the kingdom. The sagacity, subtilty, and vigour of his mind, with the advantage of his high birth and great riches, gave him such an influence over the clergy, and by them over the people, that, so long as the two parties were evenly balanced, he was able to dictate to both. It was therefore his interest to keep them in that state, and to hinder a decision, which would make either the king, or Henry, his master ; especially, as he had cause to apprehend the resentment of each of those princes, for his past behaviour. There is good reason to think that the earl of Arundel's scheme was projected by him : since one can hardly account, upon any other motive, for his having opposed the crowning of his nephew, or taking so active a part, as we find that he did, in negotiating this agreement. The archbishop of Canterbury likewise joined with him ; and the earl of Arundel seems to have left the conduct of it entirely to them : for they alone are mentioned, as mediators, on this occasion, between the two princes, and, if we may judge by one of the articles imposed upon Henry, the bishop of Winchester had the chief management of the treaty in his own hands. The main difficulty of it consisted in settling what share of present power should be allowed to the duke in the government of the kingdom : for, in reality there remained none about

V. Gerv.
Chron. et
Diceto, sub
ann. 1153.
H. Hunting.
f. 238.
S. Dan. hist.
contin. per.
J.P. Hægust.
p. 382.
Neubrig.
l. i. c. 30.

about the succession ; William, the only legitimate son of Stephen then living, not being supported, as his brother had been, by an affinity with the king of France, nor having the same invincible courage, desperately to oppose such an accommodation, and keep up the drooping spirit of his father. The queen, who would have been grieved to see her posterity deprived of the crown, and might, by her magnanimity, have animated her husband, had died before Eustace ; and Stephen, in losing her, had lost no little part of his strength : for she had been generally beloved by the people. His mind, oppressed and dejected with sorrow for her death, sought present ease, and would not sacrifice this to the future greatness of his family, which the young man, who now remained the sole heir of that family, was unfit to maintain. He therefore consented that Henry should be acknowledged as heir to the crown, with certain stipulations in favour of William ; but thought that admitting him, by the conditions of a treaty, to a share of the government in his own lifetime, was in effect to depose himself. And certainly he would have acted with much better sense, if he had firmly persevered in refusing that point, which was, in truth, improper to be granted ; any division of the royal authority being a dangerous weakening of government, and naturally productive of faction, disorder, and discord. But Henry would not be contented with the prospect of a crown in reversion, and judged, very prudently, that, even in order to secure to himself that reversion, it was necessary to insist on some present authority, and not leave the entire direction of the kingdom, which he was to inherit, in an enemy's hands. Nor did the mere settlement of the succession on him, after the death of the king, answer the purpose of those who managed this treaty. The impossibility of adjusting an article of so delicate and important a nature,

nature, in such a manner as to satisfy both the king and the duke, retarded the conclusion of the peace for some months after the death of Prince Eustace : but at last, being overcome by his brother's persuasions, and fearing to be left by all his nobility, Stephen consented to accept such terms, as that prelate was able or willing to gain for him ; and Henry, having weighed the solid advantages, which he was sure to obtain by this agreement, against the doubtful success of a war, to which he saw his friends averse, agreed not unwillingly, or, at least, with no appearance of discontent, to what was proposed. All being previously settled between them, a great council was summoned, *by writs from both*, to meet them at Winchester; about the end of

A. D. 1153. November, in the year eleven hundred and fifty three, but (probably by the management of the bishop of Winchester, to keep the treaty more in his own hands) the meeting was chiefly composed of ecclesiastics. In this imperfect parliament a convention was made, between the two princes, upon the foundation of the earl of Arundel's plan ; which being confirmed by the assent, and even by the oaths of all present, the king and duke went together to London, amidst the acclamations of the people, that seemed to be equally paid to both ; but in reality Henry triumphed, and Stephen was led captive. Yet, as the proceedings at Winchester might well have been questioned, because that assembly was little better than a synod of churchmen, a more regular parliament was soon afterwards summoned, to meet the king and the duke at Oxford, where, what had been settled in the other was confirmed. We have among our records the charter, or declaration, by which Stephen notified, to all his subjects, the agreement he had concluded with the duke : and it is witnessed by all the English bishops, with some of the principal noblemen of each

See Rymer's
Fœdera, vol.
i. p. 13. et
Brompt.
Chr. 1037,
1038, 1039.
See also Appendix.

each faction. He there says, that *he had constituted Henry, duke of Normandy, his successor in the kingdom of England, and his heir by hereditary right; and so had given and confirmed the said kingdom to him and his heirs.* That, in return for the honour so done him, and for the *donation and confirmation* so made to him, the duke had done homage to him (the king) and had sworn that he would be faithful to him, and defend his life and honour to the utmost of his power, according to the agreement contained in this charter. And he (the king) had reciprocally sworn to the duke, that he would defend his life and honour, to the utmost of his power, and maintain him, in all respects, and against all men, *as his son and heir.*

Upon these clauses it is observable, that there is, in the wording of them, a remarkable care to avoid an acknowledgment of any such title to the crown in the duke, as would have impeached that of Stephen. His right of succession is grounded upon a kind of *adoption* of him made by that king; and the kingdom is declared to be *given and confirmed* to him and his heirs, not in virtue of his birth, but as in consequence of the voluntary *act and donation* of Stephen, who *constitutes him his heir*, and considers him *as his son.* The word *confirmed* may seem indeed to contain some intimation of a right prior to this act; but it stands so connected with others that imply a contrary sense, as hardly to admit of such a construction. There was certainly a great deal of art in this method to colour over what Stephen was constrained to submit to, and save his honour, as far as appearances and fictions could save it.

The charter, or declaration, goes on to say, that William, Stephen's son, had done homage to Henry and sworn fealty to him; and that he, in return, had granted to that prince all the honours and lands,

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in England, or Normandy, or any other country, which his father had enjoyed before he was king; or which he himself had acquired by his marriage with the daughter and heiress of the late earl of Surrey; or which his father had given him since he came to the crown: all which he was to hold immediately of the duke, with some reservations to the rights of other persons, as specified in the charter. And, *further to confirm the favour and affection of the king to the duke*, some additional honours and lands were granted by the latter to William. It is also declared, that the duke had confirmed all *grants*, or *restitutions*, made by the king to the *church*: that such earls or barons of the duke's party, as had never done homage before to Stephen, did it now, and swore fealty to him, under the limitations contained in the present conventions between the two princes: and that those of the said party, who had done homage to him before, took a new oath of fealty to him, as their liege lord, and swore, that, in case the duke should ever violate the agreement then made, they would entirely quit his service, till he had corrected such errors or faults in his conduct.

On this clause it may be observed, that those earls or barons, *who had never done homage to Stephen*, were probably the sons of some who had died in the service of Matilda during the course of the war; such as the earls of Gloucester and Hereford. For it appears, that, when Stephen granted his charter at Oxford, all the barons of England did homage to him; as I have already related: but, as the civil war lasted long, there might be many to whom honours and lands had descended during the course of it, who, being engaged with Matilda, and therefore not acknowledging Stephen as king, had
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taken no oaths to him before this agreement : and the words of this declaration exprefs, that it was *in confideration of the honour done by him to Henry their lord* that they now became his vaffals. I understand, from what follows, that *theſe* perfons alſo ſwore, that, if the duke ſhould ever break his engagements, they would not ſtand by him, unleſs upon his amendment.

The declaration ſays further, that the king's ſon would, in like manner, by the advice of the holy church, withhold from the duke the ſervice, which as his vaffal, he was bound to perform to him, if he ſhould depart from what he had there promiſed : and that the earls and barons of the king's party had done *liege homage* to the duke, ſaving the fidelity they owed to the king, as long as he ſhould live and hold the kingdom, under the ſame condition, with reſpect to the ſaving claufe, viz. that if he, the king, ſhould ever break his engagements, they would all ceaſe to ſerve him, till ſuch time as he had corrected his errors or faults.

Proper ſecurities were given to the duke, that the forts of the kingdom ſhould be delivered up to him after the death of the king : and they agreed to act jointly, againſt any governors of the caſtles and forts belonging to the crown, who ſhould prove contumacious or rebellious againſt them.

The archbifhops, biſhops, and abbots of England, by the command of the king, ſwore fealty to the duke : and it was agreed that all others, who ſhould, from that time forwards, be made biſhops or abbots, ſhould likewise take the ſame oath. The archbifhops and biſhops of either party took upon themſelves to reſtrain and correct, by eccleſiaſtical cenſures, the king, or the duke, if either of them ſhould violate the aforeſaid conventions ; for the performance of which, the mother of the duke, his wife, and his brothers, were alſo to engage, and together with them, as many more of his relations
or

or friends, as could be prevailed upon to pledge themselves for him.

Lastly, the king declares, that he would act in the affairs of the kingdom by the advice of the duke, but would exercise royal justice in the whole realm of England, *as well in that part of it which belonged to the duke, as in that which belonged to himself.*

These last words do not mean that the kingdom was divided between Stephen and Henry; no mention being made of such a partition in any ancient writer, nor in any other article of this declaration: but they must be understood to signify such parts of the kingdom as were in the power of the king or the duke, by being in the hands of their friends and adherents. It is remarkable that no change was permitted to be made by either prince, in the government of the counties, of the cities, of the towns, or of any strong places; but it was stipulated in the treaty, that all should be left as they were before it was made, only under obligations of fealty to both: so that the strength of the two factions continued unaltered; and Henry's party being the stronger, he was, in every thing but the name of king, superior to Stephen. And when the latter engaged to act in the affairs of the kingdom by the advice of the duke, he really put the whole government into his hands, though he reserved to himself the supreme administration of justice: for that reserve did not destroy the right of the duke to interfere in all counsels and acts of state, and to complain that the compact was broken by the king, if his advice was not followed. His complaints indeed would have signified little, if he had not been able to procure by force the redress he desired: but in his circumstances a right to advise was a power to command. Accordingly, we find in some of the writers, who lived in, or very near to those times, these expressions; that, in consequence of this treaty,

treaty, *all the affairs of the kingdom were determined by Henry*: and that it was settled between Stephen and him *that he should direct the affairs of the kingdom*: nay, one of them says, *that the king transferred his own rights and power to the duke, and reserved to himself, during his life, only the image of the royal dignity.*

V. Hoveden,
sub ann.
1153.

J. Hagust.
p. 282.
Diceto
Imag. Hist.
sub ann.
1153.

There were also four, separate and secret articles, agreed on at Winchester, and not published by Stephen in this declaration but distinctly mentioned by some of our ancient historians; viz. *that Henry should defer to the bishop of Winchester, as to a father, in the business of the kingdom: that the king should resume what had been alienated to the nobles, or usurped by them, of the royal demesne: that all the castles built in this reign should be pulled down: and that all foreign troops should be sent out of the kingdom.*

V. J. Hagust.
ut supra.

V. Diceto
ut supra.
M. Paris,
p. 61.

The first of these articles shews how necessary Henry thought it, at this time, to pay a particular court to the bishop of Winchester, who, according to his usual policy, easily yielded himself to any revolution, but with a constant view to the advancement, or, at least, the security, of his own power. Yet, in this instance, Henry seems to have been the better politician: for he gave him only fair words, but really placed his whole confidence in the archbishop of Canterbury, and by the assistance of that prelate secured to himself the clergy of England.

V. J. Hagust.
et Diceto
ut supra.

Upon the article concerning resumption of lands it must be observed, that it extended only to the grants made to *laymen*; the bishops having taken care that all made to the *church* should be allowed and confirmed: as appears by an express article in the king's declaration. The church in those days drew every thing to itself, and let nothing return.

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Diceto ut
supra.

The two last articles were essentially necessary to the peace of the kingdom. How intolerable a grievance the armies of foreigners introduced by both parties, though first by Stephen, had been to the whole nation, I have already set forth. Much has also been said of the mischiefs which had arisen from the great number of forts and castles built in this reign. One of the contemporary historians affirms, that they were no fewer than eleven hundred and fifteen; most of which had been made the perpetual retreats, and strong-holds, of rapine, lust, and all kinds of enormities: nor could there be ever any hope of a settled tranquillity or an orderly government, while these asylums of disobedience were suffered to remain. The whole nation therefore desired to free themselves from this evil, and likewise from all foreign troops, as soon as peace should be restored; and both the articles abovementioned were presently afterwards published and confirmed, by an edict of the great council, or (to use a more modern phrase) by act of parliament.

V. Licet.
ut supra.
Chron.
Norm. p.
989.

Other regulations were made, for the restoring of private estates, that had been taken away by force, to their right owners; for the reforming of the coin; for the re-peopling of the country; and for the establishing of justice, good order, and commerce, again in the kingdom.

Huntingdon,
f. 228.
Gervase,
Diceto, ut
supra, Neu-
brig. l. i.
c. 30.

Thus was this extraordinary agreement concluded, and an apparent calm succeeded to the storms, which had so long and so violently agitated the nation. Some face of a civil government was now restored: the laws revived: the king was obeyed: Henry paid him all external forms of respect; and others were forced to it by the example and the authority of that prince. But this shew of amity did not last above two or three months. Stephen had some about him, whose interest was too much affected by the treaty, not to excite them to employ

ploy all their influence with him, to make him break it: and it was not hard to find arguments, by which one of so flexible and inconstant a nature might be persuaded, that he ought not to keep it. They represented to him, that if he discharged his foreign troops, he would deprive himself of the firmest part of his strength; and the remainder, which he had found so disloyal, would bear no proportion to that of Henry. The dismissal of them would indeed be a popular act; but the popularity of it would not light upon him. Henry would have the honour of having compelled him to part with them: and it would be proper to consider, in what a situation his other concessions had already put this young man, and how he might use the advantages he had gained, if his ambition should be equal to his power. Every day would augment his force. The eyes of all men would be turned towards him, and from Stephen. Their hopes, which are the strongest attachments to bind their fidelity to a prince, would all go to Henry. Their discontents would redound to his benefit. He alone would be applied to for the redress of every grievance, real, or supposed. The ill humour of the disappointed, the turbulence of the factious, the wants of the indigent, the ambition of the great, the inconstancy of the vulgar, would naturally draw the whole nation to him, and leave the king without subjects. From all this they inferred, that Stephen ought on no account to part with his mercenaries, but should elude that article of the treaty, keep all his strength as entire, as he possibly could, use all arts to encrease it, and wait for opportunities, which time might afford, to break the dishonourable and burthensome chains, he had been forced to put on. These arguments being agreeable to his own secret thoughts, could not fail to make a great impres-

sion upon him, and he was checked by no scruples, having been accustomed to violate the most solemn engagements. His mercenaries therefore were retained, and several castles which were in the custody of his friends, continued undemolished, against the faith he had given to the duke, and with a manifest purpose to maintain his own faction in their full strength; while Henry's party was weakened by the loss of many strong places, which had been pulled down, in conformity to the treaty of Winchester; and by his having dismissed all the foreigners engaged in his service. The duke, alarmed at this, procured a new parliament to assemble at Dunstable, where, with great modesty, but with proper force, he complained of the king for having violated the agreement between them, in points of such moment; and desired a sincere and complete execution of it, without any further delay. Stephen, however, found some specious excuses, to put it off; and Henry thought fit, though very unwillingly, to receive those excuses, rather than come to an open rupture with his new father so soon: the state of his foreign affairs, which began now to require his presence abroad, making him afraid of being too long detained in this island, if he should draw the sword in resentment of these proceedings. But he neglected no caution to secure himself from the clouds he saw gathering about him; and while nothing was openly talked of, but union and peace, distrust, the fore-runner of civil war, was disposing both parties to overturn an agreement, founded on principles of too much refinement, and held together by too weak a cement, to last very long. It seems to have been copied long afterwards, in the accord made by parliament, and by the chiefs of both factions, between Henry the sixth and the duke of York. That was quickly broken; and yet it was more likely to have lasted than this;

Henry

Henry the sixth being a man of a much weaker spirit than Stephen. But, in this instance, if a war had ensued, the event of the contest would, in all probability, have proved fatal to Stephen: for Henry had now almost the whole nation attached to his interests, both by their oaths and affections. The quarrel would have been solely imputed to the king, and he would have appeared to have made it from the most odious cause, viz. the breach of those articles which the nobility, clergy, and people of England, were most desirous to see performed, not for the sake of the duke, but of themselves; for their own safety, and honour. And though, by executing these parts of the treaty, Henry had lost a considerable strength, yet his gain from it would have greatly exceeded his loss. For a union of the English, supported by the spiritual arms of the church, which would have been employed against Stephen and all who adhered to him, in case of a rupture apparently commenced by his fault, would undoubtedly have done the duke much more service, than he could have drawn from the castles he had demolished, or the foreigners he had dismissed. A prince, who dares venture to throw himself wholly upon the affection of his country, is much more likely to have success, and will be much less embarrassed if he succeeds, than he who relies on any foreign strength. But it would have been always in the power of Henry, if he had found that he really stood in need of such aid, to bring over reinforcements from his foreign dominions, without any offence to the English; who, in that case, would have laid all the blame of the necessity, on the king, not on him. So that every way, if the war had been renewed, he must have been superior to Stephen.

If we may believe Gervase of Canterbury, some of the mercenaries conspired to assassinate Henry; Gerv. Chron. 1155
 William of Blois, Stephen's son, being privy to 1154
 the

the plot, which was to have been executed upon the road between Dover and Canterbury, as Henry was returning with the king from a conference, held at Dover, with the earl and countess of Flanders. The same author says, that William breaking his leg, by a fall from his horse on Barham Down, Henry was saved by that accident; which having disconcerted and stopped the conspirators, he happily got some notice of their design: upon which he immediately went to London, and there taking ship passed over to Normandy, before these ruffians had time to resume their conspiracy, and put his life again in danger. But the credit of this story seems doubtful; as none of the mercenaries were prosecuted by Henry on that account, when they were in his power, after the death of Stephen; and as we find that he then treated William of Blois with great kindness; which he would hardly have done, if there had been any evidence, or even a probable suspicion, of his having been guilty of so foul a treason. Nor is it likely that so young a man should have engaged in such an action, without the knowledge of his father, whom even Gervase of Canterbury does not accuse of having been acquainted with the conspiracy. The duke's departure from England may be accounted for, by the state of his foreign affairs in that conjuncture: and it seems, at least, very certain, that if he did hasten it, in consequence of some alarm of this nature, he afterwards found no proof sufficient to condemn any of the persons accused, even in his own judgment.

Scotland had taken no part in all these transactions, being disabled from giving any assistance to Henry by the death of David the first. That king had died in the year eleven hundred and fifty three, within less than a twelvemonth after the decease of Prince Henry, his son; during which time his attention had been wholly employed in settling the

V. Hoveden,
sub ann.
1152, 1153.
par. i.
Ann. War-
verl. sub
ann. 1153.
Buchanan,
Dav. l.

succession, and other affairs of importance, within his own kingdom. The loss of these two princes, who were the support and glory of their country, was much bewailed by the Scotch. In justice, in fortitude, and all royal virtues, the father had equalled the greatest kings; and the son had promised to equal the father: nor did they less resemble one another in the piety, purity, and sanctity of their lives. Neither of them was ever so much as suspected of an unlawful amour; though David, after the death of Matilda, his consort, whom he passionately loved, had remained a widower above twenty years. He was the first king of Scotland, who (to use the expression of William of Malm-bury) *having been polished by his education and familiarity in the English court, had rubbed off all the rust of the ancient Scotch barbarism*, and likewise had endeavoured to polish his people: for which purpose, soon after his accession to the crown, he granted an exemption, for three years from all taxes, to as many of his subjects, as, in their houses, their tables, and their dress, would be more elegant than the rest of their countrymen, according to the modes then practised in England. But, at the same time, he took care, that by refining their manners he might not corrupt them: for he restrained all luxury, and banished out of Scotland all epicures, and such as studied arts to provoke the appetite: so that his people learned from him a strict moral discipline, together with the graces of a decent politeness; lessons that are seldom taught to a nation by the same master! He drew to his court, many knights and barons of England, from whom several noble families in Scotland are descended. It appears too, that he occasionally employed them in his army; which might well have excited a national jealousy in his subjects: and that it did not is a great proof of the affection they had for him, and of their confidence

V. Neubrig.
l. i. c. 23.
Malmb. l.
v. c. 10. f.
89. de i. n.
L. Buchan.
ut supra.
J. Hagust.
sub ann.
1154.

in his good intentions. But, amidst the encomiums made on him equally by the Scotch and English writers, the former have blamed him for an excessive profuseness in his bounty to the church. And indeed he went too far : for, besides adding four bishopricks to the six that he found endowed by his predecessors, he built and repaired a great number of monasteries, and for the support of these donations alienated so much of the lands of the crown, that he impoverished all his successors; which made our king James the first say, not unwittily, that *he was a sore saint for Scotland*. Yet this was a fault, not of the man, but of the religion in which he was educated: the piety of a prince, in the notions of those times, being measured by the extent of his prodigality to the church. David has also been blamed by some English historians, on account of the cruelties committed by his forces, in their incursions into England. But they themselves own, that he used his utmost endeavours to restrain their barbarity; and therefore it seems that both he and Malcolm, his father, against whom an accusation of the same nature is brought, were more unfortunate than criminal in it; the ferocity of their troops overcoming the gentleness of their own dispositions, and all that their discipline could do to tame it. Upon the whole, he was one of the very few princes sainted by Rome who deserve a place in the catalogue of good and great kings. The Scotch were the more afflicted at his death, and that of his son, because his grandson, who succeeded to his crown, was under age. But Macduff earl of Fife, who had the guardianship of the young king, named Malcolm the Fourth, and all the nobility, to whose care and affection David had, on his death-bed, recommended that prince, maintained the kingdom free from intestine disorders; and wisely avoided to intermeddle any further in the dissensions

sions of England; only desiring to preserve, if they could what had been gained from that country in the late reign. Nor had Stephen the leisure to give them any disturbance, either before, or after the treaty of Winchester: so that they kept possession of the three northern counties, as long as he lived.

Henry arrived in Normandy a little before Easter A. D. 1154. in the year eleven hundred and fifty four. His interests there had not suffered much by his absence. Though Louis, in order to stop his design upon England, had threatened a renewal of the war in those parts, yet when he found that his departure had not left either that dutchy, or Anjou, or any province of Aquitaine, without a strength sufficient to defend them, he was not very forward to undertake any enterprize of moment against them; contenting himself with burning a small market town, and one of the suburbs of Vernon in Normandy: but afterwards, being strengthened by aid from the earl of Flanders, he laid siege to the castle. As Henry was nephew to the countess of Flanders, one should rather have expected that her husband would have taken part with him in this war: but, either he preferred the friendship of Louis, or thought himself bound to assist him as a vassal. Nevertheless, after the siege had lasted a fortnight, he resolved to draw off his forces, as having fulfilled the time of service required by his tenures. Louis, upon this, must have raised the siege with disgrace, if he had not found means of corrupting the governor, Richard de Vernon, who treacherously surrendered to him the castle and town. He then quitted Normandy, and did not return till September, when all he performed was setting fire, by surprize, to an unfortified quarter of the town of Verneuil. Nor had he made any further attempt against that dutchy, or any other dominion belonging to Henry, at the time when that prince came over from England; having

Chron.
Norm. from
p. 987, to
991.

V. Chron.
Norm. ut
sup. Diceto
Imag. hist.
sub ana.
1154.

Vincent.
Belvacen.
sub eodem
anno.

been wholly taken up with the pleasures and pomps of his new marriage, which was consummated by him, in the beginning of this year eleven hundred and fifty four, with Constantia the daughter of Alphonso the Eighth, king of Castile; who, from his superiority over the other Spanish kings, and his victories over the Moors, had assumed the high title of Emperor of Spain. But he secretly intrigued with some nobles of Aquitaine, and excited them to a revolt, which was easily done; the nature of their government affording perpetual matter of discord between them and their duke, and the heat of their temper inflaming all differences into a war. Henry delayed not a moment to go into Aquitaine: for he well understood that any such disorders, however inconsiderable they may appear, will soon become dangerous, if they are not attended to in their first beginnings; and that the presence of a sovereign is sometimes of more use to appease them than his arms. The rebels were struck with fear at his coming among them, and quickly submitted; the contagion of rebellion having been stopped by his great diligence, before it had spread very far: so that, tranquillity being restored in those provinces within a few months, he went back into Normandy, and renewed his negotiations for a peace with Louis, or rather continued them, and pressed their conclusion. For, as that monarch had made no attack upon Normandy during the troubles in Aquitaine, it is probable he was much disposed to a peace, but waited till he had seen how these would end, before he took his resolution. The death of Eustace facilitated the treaty; Louis being no longer embarrassed with the claim and complaints of a brother in law, whom he was ashamed to forsake. An unwillingness to leave his bride was also a motive, to make him incline to peaceful counsels. Nor did Henry neglect to sooth him by the strongest professions of respect for his person, and zeal for his service; which wrought so much

much on his easy disposition, that he forgot all the anger he had conceived against that prince on account of his marriage; and in the month of August, this year, a treaty of peace was concluded, to Henry's great satisfaction. For Louis restored to him Neufmarché and Vernon, the only towns he had lost, on condition of his paying the moderate sum of two thousand marks, in consideration of the charge which the king had sustained, in taking, fortifying, and keeping those places. No part of Aquitaine was yielded by the duke; nor were any advantages obtained by Louis for Geoffry Plantagenet, or any of his other confederates. Thus was that storm, which had threatened Henry with total destruction, most happily laid, without any loss to him in all his dominions on the continent! And by means of this peace, he was enabled to resist any civil commotions, which might again break out in England, with the whole strength of those territories; or at least he was now freed from any apprehensions of danger to them, if he should be obliged by new troubles, or other affairs of importance, to return into that island: an advantage so great, that, if he had bought it at the price of a province, it would not have cost him too dear. Never, indeed, did the policy of King Henry the First draw him out of a difficult and dangerous war with more glory; nor ever was that monarch more revered for his wisdom, than his grandson was at this time. The crown of England, which he had effectually secured to himself, cast an additional splendor upon him. He was also very happy in his domestick life. Eleanor, in the second year of their marriage, had brought him a son, and was now again big with child. But, as all human felicity must have allays, he had but just concluded his peace with Louis, when he fell dangerously ill. His youth and the strength of his constitution preserved him; and, having recovered his health, he immediately led an army into the

the French Vexin, to reduce one of the barons belonging to that province, who had taken up arms against Louis. This was an acceptable service to that prince, and helped to consolidate the friendship between them, which Henry desired to render as firm as he could: for peace alone, without amity, would not answer his purpose, by leaving him at full liberty to apply all his attention to his English affairs. He therefore most willingly performed this act of feudal obedience: nor did it cost him much trouble; for the baron submitted peaceably on his mediation, and was reconciled by him to the king, on terms that satisfied both. From thence he went to besiege a castle, which had revolted against him in Normandy, for what reason we are not told; but most probably on account of a resumption of grants, which he had begun, about this time, to make in that dutchy. While he was employed in this siege he received intelligence of Stephen's death.

Chron.
Norm. ut
supra.

Gerv.
Chron.
sub ann.
1154.
Neubrig. l.
i. c. 32.

That prince, from the time of their parting till the feast of St. Michael, had been taken up in a progress through some of the counties remote from London, affecting to shew himself in all the state of a king to his subjects, after so long an eclipse of his majesty; and so far exerting the royal authority with real advantage to himself and his people, that he caused several castles, built during his reign, and which were become dens of thieves and receptacles of villains of every kind, to be burnt to the ground before his eyes: but still he spared many others, which his own friends were possessed of, notwithstanding the remonstrances Henry had made on that account. One of those which he thought fit to demolish in Yorkshire was with great contumacy held out against him, by Philip de Tolleville, the castellan; who imagined it so strong, by its situation enclosed with rivers, marshes and woods, by the goodness of the works, the plentiful stores of provision,
and

and the courage of the garrison, who were all persons of desperate fortunes like himself, that the reducing of it would be a work of more time and labour, than Stephen would be willing to bestow upon it. But that prince assembling a great army from all the neighbouring counties, in addition to the force he had with him before, took it by assault, in a few days. This was the last memorable act of his life. For on the twenty fifth of October, in the year of our Lord eleven hundred and fifty four, he died of the piles and of an iliac passion, in a convent at Dover, to which town he had gone to meet the earl of Flanders, who desired a second conference with him, the subject of which we are not told by any historian. His death was unlooked for, both by his friends and his enemies, as he was then but in the fiftieth year of his age, and a man of great strength, not addicted to any excess or intemperance. He left but two legitimate children, William of Blois, and a daughter whose name was Mary. Some authors say he had two, and others three, natural sons; one of whom, named Gervase, was abbot of Westminster: another, named Ranulph, is said to have been chamberlain to Henry the Second: probably the other died young; for that any provision was made for him I cannot discover.

The valour of this king was much the most shining part of his character. In the field of battle he was a hero, though every where else an ordinary man. But even his military abilities were chiefly confined to the use of his sword and battle-axe. The extent of his genius was not proportioned to a great plan of action: his foresight was short and imperfect, his discipline loose, and his whole conduct in war that of an alert partisan, rather than of a discreet and judicious commander.

He had in his nature some amiable virtues, as generosity, clemency, and affability, which, under the direction of wisdom and justice, would have
given

given him a place among the best of our kings: but for want of those lights to guide and rule them, they were unworthily, weakly, and hurtfully employed. His mind was very active, and always pushing him on to bold undertakings, in which he seldom proved successful: for setting out wrong, and having left the strait path of honour and virtue, he got into a labyrinth of perplexed and crooked measures, out of which he never afterwards could extricate himself, either with reputation, or safety.

The times, and circumstances, in which he was placed, required a steady, calm, and resolute prudence: but he acted only by starts, and from the violent impulse of some present passion; always too eager for the object in view, and yet too lightly changing his course; too warm in his attachments, and too impetuous in his resentments.

The guilt of usurpation was aggravated by perjury, and by the blackest ingratitude to his uncle, King Henry, from whom he had received such obligations, as, to a mind endued with a right sense of honour, would have been no less binding than the oaths he had taken. This was a stain on his character, which even the merit of a good government could not have effaced: but his was so bad, that it might have expelled a lawful king from an hereditary throne. Indeed the weakness of his title, and the too great obligations he had to the clergy in his election, were incumbrances that hung very heavy upon him, and the original causes of all his troubles. Yet against both these difficulties, uneasy as they were, he might have found a resource in the affection of his people. Henry the First, in the beginning of his reign, was no less indebted to the clergy than he, nor was his title more clear: notwithstanding which he maintained himself in the throne, and kept the church in due obedience, by a government popular without meanness, and strong without violence.

lence. But bribes and a standing army of the most odious foreign mercenaries were the wretched supports, on which his successor leaned, to secure a precarious and unnatural power. Instead of gradually trying to shake off the fetters, which the church had imposed upon him at his accession to the crown, by the proper and legal assistance of parliament, he was continually weakening the royal authority, by further concessions to the bishops, in hopes of attaching them more firmly to his interests; and, when he ventured to quarrel with them, he did it in a manner, which hurt the privileges of his temporal barons no less than theirs, and made civil liberty appear to be interested in their defence. Thus he destroyed the only ground upon which he could stand, and changed the nature of the question between him and Matilda, making her cause, and her son's, the cause of the nation, instead of a personal claim of inheritance.

His private life was better by far than his public conduct. He was a good husband and kind father: but to his children, as well as to his friends, he was too kind, and took no care to restrain the vices of their youth; a fault, which is indeed very blameable in a king, because of the mischiefs it may afterwards bring upon his people.

He was remarkably free from superstition; a merit uncommon in that ignorant age, and seeming to indicate a strength of understanding, which did not belong to him in any other respects. There is a strange inconsistency in human nature! The greatest minds often fall into weaknesses, which the lowest would be ashamed of; and persons of mean parts are exempt from certain follies, which very wise ones are enslaved to! Nor did this superiority in Stephen produce such effects on his government, as might have been naturally expected from it. The weakest bigot that ever reigned could not have sacrificed more of the rights of the state to a false
sense

True of religion, than he did to false notions of interest and ambition.

Considering him in the most favourable lights we shall find him unfit for a throne. If he had been only an earl of Mortagne and Boulogne, he might, perhaps, by his courage, liberality, and good-nature, have supported that rank with a very fair reputation. But no great idea can be formed of a monarch, whose whole conduct broke every rule of good and true policy : who having gained his crown by the love of the nation governed by foreign ministers, and foreign arms ; yet, at the same time, gave way to innovations which rendered his subjects formidable to him ; then, by all the means of absolute despotism, without regard to law or justice, endeavoured to subdue the power he had raised ; and after having made his whole reign a long civil war, purchased at last a dishonourable and joyless peace, by excluding his son from the succession to the crown, adopting his enemy, and leaving himself little more than the vain pageantry and name of a king.

*End of the FIRST BOOK of the History of the
Life of King HENRY the Second.*

N O T E S
O N T H E
H I S T O R Y
O F T H E

Revolutions of England,

From the Death of E D W A R D the
Confessor to the Birth of H E N R Y
the Second.

P. 7. *T H E kingdom of England, after having
been barrased by the invasions of the
Danes, and subject successively to three
kings of that nation, &c.*

Sueno, or Swain, the father of Canute the Great,
was just before his death acknowledged king of
England, (Vid. Chron. Saxon. sub. ann. 1013.)
but as he never was crowned, he is not reckoned by
our writers in the catalogue of kings. The only
Danes to whom they give that title are Canute,
Harold Harefoot, and Hardicanute.

Ibid.

Ibid. *Having reigned, &c. about four and twenty years, died without issue, &c.*

Some ancient authors have ascribed Edward the Confessor's want of issue to a vow of virginity, which he had made before his marriage and adhered to in that state, having persuaded his wife to consent to his keeping it, and to take one herself. But probably this was a fiction of the monks, who thought vows of that kind essential to *sanctity*, and did not consider that, in his case, so absurd a proceeding would have been criminal, not only to his wife, but to his people, who, by his want of posterity, were exposed to all the mischiefs of a doubtful succession, and became in the end a prey to a foreign invader. He certainly did not live so kindly with his queen, as from her amiable character he ought to have done, but seems to have transferred to her his hatred of her father; and it is hard to reconcile *that* with the piety for which he is celebrated. The strange idea of merit and holiness, attached by some in that age to a vow of chastity, made, or observed, even in the conjugal state, may possibly have arisen among the Saxons in England from the answers sent to their first teacher, Augustine, by Pope Gregory the Great, and communicated by him to his new church: for, in some of these, nuptial embraces are plainly considered as *pollutions*.

P. 9. *And even gave Edgar the title of Atheling, which belonged to the royal family, and seemed to mark him out as heir to the crown.*

Sir H. Spelman says, in his Glossary on the word Adelungus, or Atheling, *Saxonibus usurpatur pro regiâ jole et regni successore*. Which he proves from a passage in the laws ascribed to Edward the Confessor; and though that collection is not genuine, yet as it is ancient, the words of the compiler are a very sufficient proof, to shew in what sense this title

title was understood by the Normans to have been given to Edgar. "Rex vero Edwardus, Edgarum filium eorum secum retinuit et pro suo nutritiv: *et quia cogitabat heredem eum facere, nominavit Adeling*, quem nos (putà Normanni) dicimus domesticellum. Sed nos indiscretè de pluribus dicimus, quia Baronum filios vocamus domicellos; *Angli vero nullum nisi natos regum.*" Yet Spelman observes, that all noblemen had anciently been called *Adelingi*; but from the above cited passage it appears, that in the times of Edward the Confessor, and for at least a century afterwards, this word was appropriated to the royal family by the English.

Ibid. Yet, notwithstanding this appearance of an adoption, as he was still under age when King Edward died, he was not thought capable of taking the government, &c.

The reason assigned by Ailredus, an ancient historian of no small authority, for Edgar Atheling's not being made king, is, *quia puer tanto honori minus idoneus videbatur*. (See Ailred. de Geneal. Reg. Ang. col. 356.) Ingulphus, a contemporary writer, See Ingulph. p. 68. sub ann. 1065: says, he was *Regio folio minus idoneus, tam corde quam corpore*; which words seem to suppose a double incapacity, from the meanness of his parts, as well as the weakness of his age: and indeed, if he had been a youth of forward courage and understanding, it might have been an inducement to raise him to the throne before the usual time. How old he was at the decease of King Edward, I do not find exactly set down in any ancient author, nor at what age the minority of the Anglo-Saxon princes was understood to determine: but Edgar the son of Edmond having been but sixteen years old when he came to the crown, and no historian speaking of him as being then a minor, it may be conjectured, See Malmsh. de Gest. Reg. Angl. l. ii. c. 8. J. Dunelm. sub ann. 959. that sixteen was the age assigned by the Saxons for

the majority of their kings. And from some passages that occur in the history of those times, we may infer pretty confidently, that Edgar Atheling was of an age approaching to manhood, though he had not yet attained to it, when King Edward died. Ordericus Vitalis, the best of the Norman writers, assigns the same cause for the duke of Normandy's enterprise, as Ailredus for Harold's election. "Anno ab incarnatione Domini 1066, indictione v. Gul. dux Normannorum, deficiente stirpe regis Edgari *quæ idonea esset ad tenendum sceptrum regale, cum multis milibus armatorum ad Anglos transfreta vit.*" See Ord. Vit. p. 598. l. 6.

P. 9. *The excluding of a minor from the succession in England was not new to the Saxons.*

Sir John Spelman, who well understood the Saxon constitution, says, in his life of king Alfred, "Ut verum fatear, turbulentum reipublicæ tempus si spectes, Ælfredi tenerior ætas Æthelwolpho jam decedenti justè suggerere potuit ut omnem cogitationem regni in ipsum conferendi deponeret, cum ea sola causa sæpenumero sufficeret, ut pater fratris filium proprio, vel etiam notum anteferru germano." Vit. Ælfred. Mag. l. i. p. 9.

P. 13. *But, on the death of his father-in-law, Alfred came over, and unhappily trusting his person to earl Godwin was delivered by him to Harold Harefoot, who put out his eyes; of which cruel treatment he died, much lamented by the English.*

In relating this story, William of Malmſbury concludes with these words, *Hæc, quia fama serit, non omisi: sed quia chronica tacent, pro solido non asserui.* The chronicles he means are supposed to be the Saxon, in which no mention is made of this fact. But yet the credit of it does not depend on tradition alone. The *Encomium Emmae*, a contemporary

V. Malmſb.
de Gest.
Reg. Ang.
l. ii. c. 12.

ary writing, and other manuscripts of that age, which he probably had not seen, attest the fact. But the circumstances are reported with some variations.

14. *He kept up a close friendship with William duke of Normandy, and after the death of his nephew secretly promised to appoint him his successor in the kingdom of England, &c.*

There is a great difference among our historians, both ancient and modern, about the time when Edward's promise, to appoint Duke William his successor, was made to that prince. Some pretend that he gave it him so long before the end of his life, as when he was a youth at the court of Normandy. But it is very improbable that he should then bequeath a crown, which he could not possibly foresee he should ever wear. Rapin Thoyras imagines, with much more probability, that the promise was made at the time when the duke was in England: but yet that conjecture suits ill with what was afterwards done by Edward, viz. his sending for his nephew in order to nominate him heir to his own. And Ingulphus expressly asserts, that, when the duke was in England, he had no hope of the succession, and that no mention was then made of it between him and the king. *De successione autem sui spes adhuc, aut mentio, nulla facta inter eos est.* What William of Malmesbury says on this subject seems to be nearest the truth, that the king had no thoughts of making the duke his successor till after the decease of his nephew, prince Edward.

itaque defuncto cognato, quia spes prioris erat vacante suffragii, Willielmo comiti Normanniæ successorem Angliæ dabat. And Ingulphus seems to express the same thing in these words under the year 65. "Anno eodem rex Edwardus senio gravatus cernens Clitonis Edwardi nuper defuncti filium Edgarum regio solio minus idoneum tam corde

See Eadma.
Hist. Nov.
l. i. p. 5.
S. Dunelm.
p. 195, 196.
Diceto Abb.
Chron. p.
481. See
Ingulph. p.
65. sub ann.
1051.

See Malmesb.
f. 2. l. ii. de
Gest. R. A.
See Ingulph.
p. 68. sub
ann. 1065.

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“ quam corpore, Godwinique comitis multam malamque subolem quotidie super terram crescere, ad cognatum suum *Wilhelmum* animum applicuit, et cum sibi succedere in regnum Angliæ voce stabili sancivit.” But then he must have been grossly mistaken, in saying (as he afterwards does, with some other writers) that Edward sent Robert archbishop of Canterbury his ambassador to duke William, to inform him of his having designed him his successor: for that prelate was banished from England in the year 1052, five years before Prince Edward’s death. Upon the whole, though I believe that the duke had some intimation of such an intention or inclination of the king in his favour, yet the uncertainty *when*, or *by whom* it was given, and the contradictory accounts we have of it, undeniably prove, that it could not have had the authority of the great council, but was a secret transaction. Indeed not one of our ancient historians is partial enough to the Norman government to pretend, that it was an act of the nation, as Ordericus Vitalis and William of Poictou affirm. Nor is it a credible thing that the great council of England, which in the year 1052 had shewn so much jealousy and hatred of the Normans, as to pass an act for banishing out of the kingdom all of that nation, should, without any apparent reason for the change, so alter their temper, as to settle their crown on a Norman prince. And surely, if, contrary to their inclinations, Edward had conceived such a purpose, Harold, whose interest it was to prevent it, would not have willingly gone upon an embassy, to acquaint the duke with it; for it would have been better for him, if he had not then any thoughts of the crown for himself, to have secured it for Edgar, whom he might well hope to govern, at least for several years. William of Malmfbury only mentions the story to reject it, giving the account I have followed, as grounded on the best information. Nor is there any

See Chron.
Saxon p.
164. sub
ann 1052.
& p. 169.
sub ann.
1067.

any thing improbable in that account. But further, in relating the answer which Harold returned to William, in justification of himself for the breach of his oath, the same author writes thus, "De regno addebat præsumptuosum fuisse, quod *absque generali senatus et populi conventu et edicto* alienam illi hæreditatem juraverit. Proinde stultum sacramentum fragendum. Nam si jusjurandum, vel votum, quod puella in domo patris, nesciis parentibus, de suo corpore volens fecerit, judicatur irritum; quanto magis quod ille sub regis virgâ constitutus, *nescienti omni Angliâ*, de toto regno, necessitate temporis coactus impegerit, judicatur non esse ratum!" These words give us at least the opinion of the writer, that the great council had never agreed to any settlement of the crown on the duke. One argument for Harold's having been sent by Edward to notify this designation to the duke is drawn from the tapestry at Bayeux, which Montfaucon has given a print of, with comments upon it. But the inscription over that part of it, which represents Harold taking leave of the king, is only *Rex*—*R. D.* which gives no account of the commission or business on which he was going; nor is there any other more express concerning that point. Montfaucon, from the *common opinion*, or *tradition* of the place, supposes the tapestry to have been made by the order of Matilda, the wife of William the Conqueror, and therefore to be an authentic evidence of the truth of the facts therein represented. But from several reasons I should judge, that it was rather made by the order of the empress Matilda, his grand-daughter, who resided long in Normandy; and that the makers of it were not accurate with regard to the facts. For the tapestry and the inscriptions upon it suppose, that in the war William sustained, while Harold was with him, against Conan duke of Bretagne, he;

Vid. Picav.
Geit. Gul.
Duc. Norm.
ap. Duchesne, p.
191, 192.

or one of his generals, besieged Dinant; and that Conan delivered to him, or to that general, the keys of the town. But this siege is mentioned by no contemporary author, and contradicts the account given of that war by William of Poictou, arch-deacon of Lisieux, and Chaplain to William. He particularly describes the beginning of the war by the expedition of his master to the relief of Dole besieged by Conan; his obliging Conan to raise the siege, and then retiring out of Bretagne, because he would not pursue Conan, to the peril of his own army, through unknown countries, where they could find no subsistence, but returning thither again, upon hearing that Conan and Geoffry Martel were joined. He says the duke staid there to give battle to them both, but *certamen nequicquam fuit expectatum, adversario magis in ulteriora profugiente*. Then he concludes with these words, *Receptus in sua pericarum hospitium Haraldum apud se post moratum aliquandiu donis onustum omisit*. It is therefore plain (if we may believe this historian, who is called by Montfaucon himself *the most accurate of all who wrote the history of William the Bastard*) that neither before nor after the raising of the siege of Dole was any siege made in Bretagne by William, while Harold remained with him, or by any part of his army. Nor can it easily be conceived, that the taking of a town so considerable as Dinant, defended by the duke of Bretagne in person, should be passed over in silence, either by this author, or any other who wrote the history of that war.

Upon the whole, I apprehend that this boasted monument was rather formed upon vulgar tradition than history, and deserves no credit against the testimony of a good contemporary writer. Tapestry-makers are bad historians; and it is a common fault in antiquaries to lay more stress upon any discovery of this kind than is really due to it; as Montfaucon seems to have done in the present instance.

William

THE REVOLUTIONS OF ENGLAND.

487.

William of Poitou pretends, that the brother and nephew of Harold had been delivered to the duke by King Edward as hostages, to secure to him the succession of England : but it appears from Eadmer, that having been given by earl Godwin to Edward, as hostages for his fidelity, after the quarrel between him and that king, they were sent over to Normandy, as to a place of safe custody, and only committed to the keeping of William, as Edward's friend and ally. After the duke had concluded his bargain with Harold, he gave him back his nephew ; but kept Wulnoth his brother, as a pledge for the performance of their agreement. But this surely is no proof that Edward had sent them with any such design, nor even that Harold went to fetch them. It is indeed very improbable, that he should venture to put himself into the power of the duke on such an errand. It would have been much safer and more prudent to have negotiated their redemption by another person.

See G. Pic-
tav. p. 191.
See Eadm.
Hist. Nov.
p. 4.

P. 15. *And his will itself, had it been made in favour of William, without the ratification of the great council, would not have been obligatory to the people of England.*

As this has been controverted, it may be necessary to give the reader some proof of it, which I shall do by one evidence, out of many that might be alledged.

In the preamble to King Alfred's will preserved in Asser, at the end of his book *De gestis Alfredi*, that monarch styles himself thus, *Ego Ælfredus, totius West-Saxonie nobilitatis consensu pariter et assensu, rex*. And yet in the same public act, he declares, that he *inherited* the kingdom after his two brothers Æthelbald and Æthelred, *by the will of his father*. “ *De hæreditate, quam pater meus Æthelwulphus rex nobis tribus fratribus delegavit, viz. Æthelbaldo, Æthelredo, et mihi, ita quod,*

NOTES ON THE HISTORY OF

“ qui nostrum diutius foret superstes, ille totius regni dominio congauderet.” (See Asser de Gest. Ælf. p. 4.) To reconcile these expressions, we must suppose that the will of his father would not have made him king without the *assent and consent of the Saxon nobles*. It will be shewn hereafter that the word *nobilitatis*, is to be taken in a large sense. Asser calls King Æthelwulf's will *hereditariam vel commendatoriam epistolam*, a *testamentary, or recommendatory letter*, which expression implies that the designation there made had no force without the authority of the great council, and was considered as a mere *recommendation*, till it had a sanction from them. But the words of Alfred himself in his will are of much more weight than the expressions of any historian.

P. 16. *Though, to induce him the more to it, William promised to give him one of his daughters in marriage.*

De Will. 1.
l. iii. f. 56.

Vid. Order.
Vit. l. v.
P. 573.
Duchêne.

Vid. Gem.
l. vii. c. 31.
p. 285.

William of Malmshury supposes this lady to have died before her father invaded England; but Ordericus Vitalis says she lived till the year 1081, and that her father had betrothed her to the king of Galicia just before her death. He adds, that she had loved Harold, but was so averse to the other marriage, as to wish rather to die than to complete it. The name he gives her is Agatha; but others call her Adelize. William of Jumieges says, that Harold, after the death of Gryffyth king of Wales, married Aldyth, the beautiful wife of that prince, and daughter of the illustrious earl Algar. *Griffthridi quoque regis Walliarum, postquam hostilis eum gladius percussit, pulchram conjugem Aldyth, præclari Comitis Algari filiam, sibi uxorem junxit.* Other writers of that age, and latter historians on their authority, make also mention of this match; but they call the lady Ælgiva, or Æditha. Yet there is a passage in Ingulphus, a contemporary author, which

which contradicts it, and seems to deny the existence of this daughter of Earl Algar. His words are these, under the year 1059, *Strenuissimus etiam Comes Algarus nostri monasterii semper amantissimus, &c. obiit, et Coventriæ juxta patrem positus requiescit humatus, relictis liberis, duobus filiis, scilicet Edwino et Morcario, postea Comitibus, et unica filia, quæ nunc superest, Comitissa Lucia.*

Vid. Hist. Ingulphi in Gale's Edition of Rer. Angl. Script. Vit. tom. i. p. 66.

It is plain, that *the Countess Lucia*, whom this author affirms to be *the only daughter left by Algar*, could not be Aldith, or Editha, or Ælgiva, who was married first to a king of Wales, and then to Harold, and whom other authors therefore call *Reginam Ælgivam*. We know that she was the wife of Ranulph de Meschines Earl of Chester. Nor is it conceivable, that, if Algar had really had another daughter so illustriously married, Ingulphus should have been ignorant of it at the time when he wrote, viz. under William the First, and William Rufus? He says himself, that Earl Algar was a particular friend to their monastery, which must have made him more knowing in what related to that lord: but this fact must have been notorious to the whole nation. It is also remarkable, that the Saxon chronicle takes no notice of this lady, *the queen of a Saxon king*; nor is she mentioned in the Welch chronicle as wife to King Gryffyth. William of Malmesbury seems likewise to have been ignorant of her existence. All this makes me so doubtful about the truth of this match, that I have not mentioned her in my account of Harold: but leave the reader to judge, upon the evidence stated here, whether she ought to be added to the catalogue of our queens.

See Dug. Baron. p. 36. 37. Earl of Chester.

P. 16. *It is therefore most evident, that the attempt of the duke of Normandy was an unjust violation of the rights of the English, and that those writers who have asserted that his title was good, or better than Harold's, did not very accurately consider the question, &c.*

The Saxon chronicle, of which that part which relates these occurrences, was written in the reign of William the First, says in the plainest terms, *that Harold was nominated by Edward the Confessor, and elected by all.* "Tunc Haroldus comes capessit regnum, sicut rex ei concefferat, omnesque ad id eum eligebant." Florence of Worcester, another contemporary historian, and Simeon of Durham, who wrote under Henry the First, affirm the same thing. The words of the former are these: "Quo tumulto, subregulus Haraldus, Godwini ducis filius, quem rex ante suam decessionem regni successorem elegerat, à totius Angliæ primatibus ad regale culmen electus, &c." which are transcribed by Simeon of Durham, only instead of *primatibus* he uses *principibus*, a synonymous word. Hoveden and Diceto, who both wrote their histories in the next age, follow exactly Florence of Worcester. Eadmer, another contemporary author writes of it thus, "In brevi post hæc obit Edwardus. Juxta quod ille ante mortem statuerat in regnum ei successit Haraldus." William of Malmesbury, though strongly inclined to favour the Norman cause (as might be expected in one who dedicated his work to a grandson of William the First) could not help owning, that, openly at least, all the English then declared in favour of Harold. "Quare, ut prædixi, Angli diversis votis ferebantur, quamvis palam cuncti bona Haroldo imprecarentur." He says indeed in another place, "Recenti adhuc regalis funeris luctu Haroldus, ipso Theophaniæ die, extortâ à principibus fide, arripuit diadema." But, if any regard

See Chron.
Sax. p. 172.
sub ann.
1066. & p.
189. sub ann.
1086. Flor.
Wigorn. J.
Dunelm.
Diceto ab-
brev. Chron.
Hoveden
sub ann.
1065, 1066.
Eadm. Hist.
nov. p. 4.
l. 1.

See Malmsh.
l. iii. f. 56.
de W. 1. &
l. ii. f. 52.
de Gest.

gard is to be had to this passage, it only proves that Harold was too hasty in pressing on his coronation the very day that king Edward was buried, which was an objection in *form* rather than *substance*: for no historian pretends that any force was used by him; and the words before-mentioned of this writer himself acknowledge, that the publick acts and professions were all on his side. Nay, he makes him say, in the answer he sent to the duke, that it was an unjust demand, “*ut imperio decedat quod tanto favore civium regendum suscepit.*” In truth it is plain from the whole account he gives, though he was obliged to throw out some expressions unfavourable to Harold, that he knew his election was valid. It must be observed, that the great council was assembled when Edward died. Florence of Worcester takes particular notice of it, in the following words: *Post hæc rex Edwardus paulatim ægrotare cœpit. In nativitate vero Domini curiam suam, ut potuit, Londoniæ tenuit, &c.* which Simeon of Durham and other writers contemporary with him, confirm. And as that monarch then consecrated Westminster Abbey built by himself, a ceremony which the genius of the times and of the man made very important, we may be sure that the attendance upon such an occasion must have been greater than usual. Ailredus, abbot of Rivaux, speaks of it thus, “*Appropinquabat dies festus cæteris lætior, in quo Anglorum tota nobilitas ad regis curiam debuit convenire, et regi more suo sceptris simul et corona decorando assistere. Cogitans ergo quemadmodum possit ipsa consecratio solempnius exhiberi, decrevit festivitate peractâ regali die sanctorum Innocentium celebritatem istam compleri.*” (And afterwards) “*Illucescebat igitur sanctorum Innocentium jucunda festivitas, et convenientibus in unum episcopis, cunctisque regni principibus, sacra dedicationis solempnitas inchoatur.*” Harold’s election might therefore be made in the great

See Flor.
Wigorn. &
J. Dunelm.
sub ann.
1065.
Malmsh. de
G. R. A. f.
52. l. ii.
Sax. Chron.
sub ann.
1066. Ail-
redus Abb.
Riv. de Vit.
& Mira. Ed.
Confessoris,
p. 398, 399.
Spelman’s
Concil. v. i.
sub ann.
1066. J.
Monasticon.
Angl. See
Pictav. G.
G. D. p. 100.

great council, immediately after Edward was buried; and, as no opposition was given to it, would not take up much time; especially if it was made in confirmation of Edward's appointment, as, except William of Malmſbury, all the historians before-mentioned affirm. And it is very remarkable that their testimony is confirmed even by William of Poictou, chaplain to the duke, and the most partial to him of all the Norman writers. In relating the message, which Harold sent to that prince after his landing, he makes the messenger say, "Hæc tibi mandat rex Haraldus. Terram ejus ingressus es, quâ fiduciâ, quâ temeritate, nescit. Meminit quidem quod rex Edwardus te Anglici regni hæredem fore pridem decreverit, et quod ipse in Normanniâ de hac successione securitatem tibi firmaverit. Novit autem *jure suum esse regnum idem, ejusdem regis domini sui dono in extremis illi concessum*. Etenim ab eo tempore, quo beatus Augustinus in hanc venit regionem, communem gentis hujusce fuisse consuetudinem, *donationem, quam in ultimo fine suo quis fecerit, eam ratam haberi*." And the answer, which the same historian relates, as made by the duke, does not contain any denial of the fact here alledged, but only insists upon the former promise of Edward and Harold's oath. Ordericus Vitalis, who, though born in *England*, was bred up in *Normandy*, and is reckoned among the Norman historians, agrees in the nomination of Harold by Edward, but says it was obtained *by a fraud*. "Nam regem Edwardum, qui morbo ingravescente jam morti proximus erat, circumvenit, eique transfretationis suæ, et protectionis in Normanniam, ac legationis seriem retulit. Deinde *fraudulentis assertionibus adjecit, quod Wilbelmus Normanniæ sibi filium suum in conjugium dederit, et totius Anglici regni jus, utpote genero suo, concesserit*,"

See Ord.
Vit. p. 492.
l. iii sub
ann. 1065.

“*cefferit. Quod audiens ægrotus princeps miratus est; tamen credidit, et concessit quod vaser tyrannus commentatus est.*” I lay much more stress upon this author’s avowal of Harold’s nomination by Edward on his death bed, than upon the cause he assigns for it, in which he is supported by no other historian. The only objection of any weight to what is affirmed so expressly, concerning this matter, by so many good authors, is that which William of Malmſbury makes in his second book *De Gestis R. Ang. viz.* the improbability that Edward should bequeath his crown to a man, of whose power he had always been jealous. But to this it may be replied, without having recourse to any such artifice as is supposed by Ordericus Vitalis, that Edward, a man of easy and flexible dispositions, might, upon finding the temper of the nation strongly oppose his inclinations for William, give way to theirs in favour of Harold, from a laudable regard to the peace of his country. However I have chosen, in my account of this matter, to affirm nothing positively, as to the nomination of Harold by Edward, because, even leaving this doubtful, his election cannot be disputed. The nation might chuse him, though their king did not; and that he was chosen by *them* is sufficiently proved, both by the testimony of the best contemporary authors, and by all the subsequent facts from his coronation to his death. During the whole of that time, there was no appearance of any party subsisting in England, either in favour of Edgar, or of William. Not any one Englishman was confined on suspicion of treason, either when Tosti was hovering upon the coasts, or when the Norwegians, or the Normans, were landed: An undeniable evidence of Harold’s belief, that the crown had been given him with the consent of the nation: for an usurper is always suspicious and apprehensive on such occasions. Nor was his confidence ill-grounded; for none of his subjects

subjects revolted against him ; not even those who were of Danish extraction.

P. 21. *Thus he made up an army of fifty thousand horse, and ten thousand foot, all chosen men, &c.*

William of Poictou, speaking of the duke of Normandy's army, while it was encamped on the Norman coast, says, "Convenit etiam externus miles in auxilium copiosus, quos ex parte notissima ducis liberalitas, verum omnes justæ causæ fiducia contraxit. Rapinâ omni interdictâ, Rappendo ipsius *millia militum quinquaginta* alebantur, dum ventorum incommoditas ad portum Divæ detinebat mora menstrua." (Vid. Gest. Gul. Duc. p. 197.) And afterwards he tells us, that the duke sent a message to Harold, in which he reckoned his army at *sixty thousand men*. "Dux contrâ nuntio : Pro mandato, inquit, quo mihi dominus tuus vult esse cautum, quanquam sine contumelia suadere docuerit, gratias ipsi et hæc refer. Non me tutarer valli aut mœnium latebris, sed conflicerem quamprimum cum Haroldo, nec diffiderem fortitudine meorum cum suis eum contritum iri, voluntate divina non resistente, tametsi decem sola millia virorum haberem quales *ad sexaginta millia adduxi*." The *quinquaginta millia militum* mentioned before, were therefore all horse ; and the additional *ten thousand* here mentioned were foot. *Miles* indeed, in the writings of that age, always signified a *horseman*. And this is further explained by Ordericus Vitalis (Ecclesiast. Hist. l. iii. p. 500.) Speaking of the fleet setting sail for England, he says, that there went in it *quinquaginta millia militum, cum copia peditum*, per horrendum pelagus, ad expugnandam in propria sede incognitam gentem, &c. The *copia peditum* mentioned here, in addition to, and distinct from,

from, the *quinquaginta millia militum*, demonstrates that *militēs* signified *horse*, both in this place and the other cited above. The testimony of William of Poictou, with regard to the number of men, is of great weight, because he was himself with the army, and served the duke of Normandy as his chaplain in this expedition. And Ordericus Vitalis, though somewhat a later writer, adds more authority to the account given by him, as he appears to have informed himself of all the Norman affairs with particular care, and to have been a person of no mean understanding.

P. 24. *After some months, he returned, to invade his country once more, not with the duke of Normandy, but with another foreign prince, whom he accidentally met at sea, as some of the contemporary authors relate, or had incited to this enterprize, as others affirm.*

Ordericus Vitalis tells us (p. 469. l. iii.) that Tosti proposed to the king of Norway, that he should take for himself one half of England, and let him hold the other half under fealty and homage. “Unde a vobis, quos viribus et armis, “omnique prohibitate præcipuè vigere cognosco, “viriliter adjuvari, utpote *homo vester*, exposco. “Proterviam perfidi fratris bello proterite, *medi-* “*etatem Angliæ vobis retinete, aliamque mihi, qui* “*vobis inde fideliter serviam, remittite.* His auditis, avidus rex valde gavisus est. Deinde jussit “exercitum aggregari, &c.” William of Jumièges, another of the Norman historians, mentions Tosti’s going to the king of Norway, and asking his assistance: “At ille (Tosticus) non valens salubriter Angliam introire, neque Normanniam, “quia ventus obstabat, redire, Heraldum Harfagam, Northwegæ regem adiit, ipsamque supplex ut se juravet rogavit. Ipse vero precanti “Tostico libenter acquievit.” (Gem. p. 285. c. 32.)

32.) By the expression of both these authors it is evident, that neither of them understood, that the king of Norway and the duke of Normandy acted in any concert, the one with the other, or that Tosti made proposals, or carried any message from the duke to the king, as some modern writers have supposed. Our own contemporary historians say, that he met that king accidentally at sea in his passage to England.

Ibid. From the time that his brother had been driven out of the Humber, his fleet and army had been constantly stationed, to guard that part of the island which is nearest to Normandy, from whence alone he had any apprehensions of a descent.

This is expressly affirmed by Ordericus Vitalis: "Porro Anglicus Heraldus, ut Northvigenas in Angliam advenisse audivit, Hastings et Penvesellum aliosque portus maris Neustriæ oppositos, quos toto illo anno cum multis navibus et militibus callidè servaverat, reliquit, &c." And this account is much more probable than what Florence of Worcester and some others relate, that, after expecting the Normans till about the nativity of the Blessed Virgin, Harold had discharged both his army and his fleet. It can hardly be conceived, that he should be so careless and so falsely secure, while the duke of Normandy lay prepared to invade him, and only waiting for a wind. Besides, if his fleet had been laid up at that time, and his army disbanded, it would not have been possible for him to have reassembled them so soon, as we find he did, against the Norwegians. That he had both in great readiness, is very apparent; for, as soon as ever he heard of the Norwegians being landed, he marched to oppose them, with a great army, and destroyed their fleet, as well as their army, allowing but twenty of their ships to return, which he could not have done without the help

help of his own. But, while his forces were thus taken up in the north, the Normans landed on the coast of Suffex without opposition; Providence so disposing events, that the Norwegian invasion facilitated their's; as Ordericus Vitalis well observes. "Interea dum Angli bello Eboracensi occupati erant, *et custodiam maris* (ut diximus) *nutu Dei reliquerant*, classis Normannorum, quæ spatio unius mensis, in ostio Devæ, vicinisque portibus, notum præstolata est, Zephyri flatu in stationem Sancti Galerici delata est, &c. Normannicus itaque exercitus 111 kal. Octobr. mare transfretavit, nocte qua memoriam Sancti Michaelis Archangelæ catholica ecclesiæ festivè peragit, et, nemine resistente, littus maris gaudens arripuit." Ord. Vital. p. 500. l. iii.

P. 25. One of their soldiers is said to have maintained for some time a narrow pass on the bridge, with a valour equal to that of Horatius Cocles, till he was slain by a javelin, thrown at a distance, from the hand of one of Harold's domestick attendants.

This is the account given by William of Malmſbury, who adds, that the English, admiring his extraordinary valour, entreated him to yield himself and experience their clemency, which he refused with great disdain, and was then killed in the manner above-related. But H. of Huntington says, that one going in a boat under the bridge killed him with a javelin, through a chink, or hole in the bridge, after he had slain above forty of the English with a battle axe, and stopped the whole army from break of day till the 9th hour. William of Malmſbury is more moderate in the account of the numbers slain by him, and his relation of the manner of his death seems the more probable.

P. 26. *But the wind at last turning fair, he sailed from St. Valery, at the mouth of the Somme, on the eve of St. Michael, in the year one thousand and sixty six, and landed the next day at Pevensey in Sussex, without any resistance.*

Malmſb l.
iii. de Will.
l. f. 56. c.
10.

William of Malmſbury ſays, that the duke's army beginning to ſhew a ſuperſtitious diſcouragement at the wind's remaining ſo long contrary, as thinking it an indication that Heaven was averted to their enterprize, he was adviſed by ſome of his officers, to bring out the body of the tutelary ſaint of that town; ſoon after which there ſprung up a very fair gale, which carried them over. In all probability, ſome of his pilots foreſaw a change in the weather, and he wilely availed himſelf of the body of the ſaint, to make it appear to the army a miracle in his favour, which entirely removed the former impreſſion. It is ſaid too, that, on

Malmſ. ibid.

his landing, his foot ſlipped, and he fell to the ground; which might have been thought an ill omen, if it had not been turned into a good one, with extraordinary preſence of mind, by one of his men at arms, who, ſtanding next to him, cried out, "*Sir, you are now taking poſſeſſion of England, of which you will ſhortly be king. Teneo, inquit, Angliam, comes, rex futurus*". But what renders this ſtory a little ſuſpicious, is the exact conformity of the words to thoſe of Julius Cæſar, when he ſtumbled and fell, at his landing in Africk, *Teneo te, Africa*. And the ſilence of William of Poiſſieu makes the truth of it ſtill more doubtful.

P. 27. *Though at his landing, he found no forces to oppose him, he would not advance any further; but employed fifteen days, which was the greatest part of the time before Haro'd came up, in raising forts at Peversey and Hastings, to cover his ships, and to secure a possibility of retiring out of England, if he should be defeated.*

This, which is grounded on the unquestionable testimony of William of Poictou, who was with the duke at his landing, and supported by the authority of Gemiticensis and Ordericus Vitalis, entirely disproves the romantic tale of his having burnt his own fleet, which, in his circumstances, would have been rather an act of madness than heroism.

See Piclav.
G. Gul.Duc.
p. 199.
Gemitic. l.
vii. c. 34.
Order. Vita-
lis, l. iii.
p. 500.

P. 28. *As he marched towards Hastings, he was met by a monk, who came to propose to him, on the part of the duke, to determine their cause, either by the judgment of Rome, or by duel in fight of both armies, &c.*

In my account of this embassy, I have principally followed William of Poictou, who having been present in the camp of the duke, and one of his own household, was therefore most likely to have been truly informed; and, as he is silent about it, I pay no regard to what William of Malmesbury relates, of the duke's proposing to Harold, *that he should hold the crown of England in fief under him.* But there is one circumstance, in which I prefer the account the latter has given, as much more probable than that which we find in William of Poictou, viz. with regard to the offer of deciding their cause by the judgment of Rome, which William of Malmesbury says, that the duke made to Harold; whereas the words of William of Poictou seem to refer the decision of it in a judicial manner, either to the Normans, or English, or

See Malm.
f. 56. l. iii.
de G. l.

both. (See Piclav. p. 200. G. G. D.) The Normans could never be admitted as judges; nor had their customs, or laws, any weight in this question: and as for the English, to whom the determination of it truly belonged, it is very improbable that William should make them his umpires. No judicature nor arbitration could answer his purpose, except that of Rome, which seemed unprejudiced and impartial in the eyes of the world; but which, he knew, had already, without hearing the other party, prejudged the cause in his favour.

P. 29. *Formed his whole army into one deep phalanx of heavy armed foot.*

That this was not a hollow square, but a dense and close body, appears from the words of William of Poictou, *Leviter sauciatos non permittit evadere, sed comprimendo necat sociorum densitas*: They stood so thick, that the wounded could not retire out of the action, but were killed by the press of their fellow-soldiers.

V. Gest.
Gul. Duc. p.
202.

P. 25. *Thus ended the memorable battle of Hastings, &c.*

In the particulars of this battle, as well as in all the preceding transactions from the time that the duke of Normandy landed in England, I have been guided chiefly by William of Poictou, archdeacon of Lisieux in Normandy, who was either an eye-witness of them, or had opportunities of being very exactly informed. But there is one point in which I differ from him, viz. as to the number of the English; which, against the unanimous testimony of all the other contemporary writers, he makes very great, from a desire of doing more honour to his master: a partiality censured by William of Malmesbury, the most judicious by far of our ancient historians. His words are these:
“ Nec

“ Nec hæc dicens virtuti Normannorum derogo, See Malmf. f. 63. sect. 10. de W. I.
 “ quibus tum pro genere, tum pro beneficiis si-
 “ dem habeo. Sed mihi videntur errare, qui An-
 “ glorum numerum accumulanti, & fortitudinem
 “ extenuant. Ita Normannos dum laudare inten-
 “ dunt, infamiâ respergunt. Insignis enim planè
 “ laus gentis invictissimæ, ut illos vicerit quos
 “ multitudo impeditos, ignavia fecerit timidos!
 “ Immo vero *pauci* et manu promptissimi fuere,
 “ qui charitati corporum renuntiantes pro patriâ
 “ animos posuerunt.”

Some circumstances, not mentioned by William of Poictou, are added by later, though ancient, writers. They tell us, that, when the armies were ready to engage, a man named *Taillefer*, advancing before the rest of the Normans, killed an English ensign, and then another, and attacking a third, slew him also, but was slain himself in the combat. This story is not improbable; but had it been true, it would not, I think, have been omitted by William of Poictou, who was in the duke's camp, and has given us so full a detail of the action. Florence of Worcester, who also lived at that time, takes no notice of this warrior in describing the battle; nor is he mentioned by William of Malmfbury, Simeon of Durham, or Roger de Hoveden. Ordericus Vitalis, though more particular, in the accounts of any brave actions done by the Normans, than all the other historians who wrote in that age, is silent on this, which deserved to be celebrated by every writer. I therefore suspect the truth of it; nor do I afford much more credit to the account given in some writers of the twenty Norman knights, who bound themselves by an oath to take the English standard; because this too is a circumstance, which, had it been true, William of Poictou, and Ordericus Vitalis, in all probability, would not have omitted.

NOTES ON THE HISTORY OF

William of Malmſbury tells us, that the Normans began the battle with ſinging the ſong of Roland, that the example of that brave warrior might animate them to fight. Wace, who, in the latter years of Henry the Second, wrote an hiſtorical poem in Norman French, explains this ſong to have been one, which celebrated the valour of the Paladin Roland, and other Peers of Charlemagne, who fell at Roncevault. It muſt therefore have been ſung by ſome of the French in the duke's army; not by the Normans, who had no connexion with thoſe worthies. But William of Poiſſieu, inſtead of a ſong, ſpeaks of a very loud ſhout, which was raiſed by both armies: "*Altiffimus clamor, hinc Normannicus, illinc barbaricus, armorum fonitu et gemitu morientium ſuperatur.*" It is remarkable that in this paſſage the Norman writer calls the Engliſh *barbarians*.

Y. Geſt.
Gul. Duc.
p. 202.

f. 57. feſt.
40. de Will.
f.

William of Malmſbury relates an act of the duke, which is not taken notice of by the above-mentioned author; viz. that he noted with infamy and caſhiered one of his knights, or men at arms, for having given Harold a wound in his thigh with a ſword, after he was ſlain by the arrow which pierced his brain. This was very agreeable to the duke's magnanimity: but other authors ſay, that Harold was mangled and diſfigured with ſeveral wounds, inſomuch that by his face he could not have been known; and all theſe wounds muſt have been given him after he fell. It may be worth remarking here, that Shakeſpear has applied what William of Malmſbury tells of this knight to Sir John Falſtaff and Lord Piercy. The ſame hiſtorian ſays, that William gave the body of Harold to his mother without taking any ranſom, though ſhe had ſent to offer him a great one, and that ſhe buried it in the church of Waltham abbey, which he had founded. This was a noble generoſity in that prince.

See Picſtav.
p. 201.

He

He also permitted all the bodies of the English killed in the battle to be buried by their friends.

P. 33. *How many of his navy were ships of war, we are not well informed, &c.*

An antient manuscript in the Bodleian library, which has been printed at the end of Taylor's Gavelkind, and of which the reader will see a transcript taken from the original, in the Appendix to this book, reckons up *a thousand ships*, which were furnished to the Duke of Normandy, by his own vassals there, whose names he has given, for his enterprize against England. One of these, which was built at the charge of Matilda, his wife, had in its prow the figure of a boy all carved in gold, pointing at England with his right hand, and with his left holding to his mouth an ivory horn. In this, the manuscript says, the duke sailed to England. It also mentions in general, that he was supplied with *many more ships* by other vassals, who are not named therein, each of them giving in proportion to his means, and to the utmost of his power. But it does not say, that all these were *ships of war*. Wace, whose work has been mentioned in the preceding note, tells us, he had heard his father say, that when the duke's fleet set sail from St. Valery, it consisted of *seven hundred ships wanting four*. He mentions small vessels and transports; but whether these were included in the number above-mentioned does not well appear. Nor can this *bear say tradition* be taken for *history*. The same author adds, that he had found in a *written account* that the duke had *three thousand ships which carried sails* in this expedition, and says, *one may well suppose that aboard of so great a navy, there must have been a great number of men*. This agrees with the number of ships that is mentioned in William of Jumieges, a contemporary historian. His words are these, " *Classem*

V. Cotton.
Libr. Royal.
4. c. xi. f.
17. d.

Gemit.
Ann. Monac.
l. xli. c. 34.

“ *ad tria millia navium, festinanter et bene con-*
“ *strui jussit, et in Pontivo apud sanctum Valeri-*
“ *cum in anchoris congrue stare fecit; ingentem*
“ *quoque exercitum ex Normannis et Brandenfi-*
“ *bus, ac Francis et Britonibus aggregavit, atque*
“ *preparatam classem iam valentibus equis, quam*
“ *robustissimis hominibus cum loriceis et galeis replevit.*”
William of Poitou, who came over with the duke, does not give the number of the ships; but compares his fleet to that of Xerxes, and declares it exceeded that of the Greeks in their war against Troy. “ *Memorat antiqua Græcia Atridem Aga-*
“ *memnona fraternos thalamos ultum ivisse mille*
“ *navibus; protestamur nos Guilielmum diadema*
“ *regium requisisse pluribus.*”

P. 35. *Very soon after his victory over Harold he be-*
sieged Dover castle, &c.

V. Pictav.
p. 204.

Before he went to this siege he left a strong gar-
rison under a governor of great valour at Hast-
ings, and then took a severe revenge on the citizens
of Romney, who had attacked and killed, with
great slaughter on both sides, some of his forces,
who, by a mistake in their course, had put in there,
instead of landing between Pevensey and Hastings,
with the rest of the army. Dover castle was
yielded to him by composition; but while the gar-
rison were treating with him, some of the esquires
of his army (*armigeri exercitus*) out of an eagerness
for pillage, threw fire into the town, which almost
entirely consumed it: whereupon the duke paid
the full value of the houses and goods to the own-
ers; and (as William of Poitou says) would have
severely punished the offenders, if the great num-
ber and the meanness of them had not concealed
them. I would observe that men of quality, who
had not yet been knighted, were called *armigeri*,
but these must have been of a lower order, the
menial

menial servants to the knights in the Norman army. There was good policy in both these acts of William: the first being necessary to strike a terror, and secure any of his people, who might happen to stray from the body of the army: the other to give an opinion of his honour and strict regard to capitulations made with him by the English, even though not fully perfected; which would encourage others to trust to him, and surrender their places or persons in the same manner.

P. 37. *William received Edgar Atheling with the fairest appearances of regard and affection, &c.*

Some authors say, that he confirmed him in the earldom of Oxford, given to him by Edward the Confessor.

Ibid. Before he ascended the throne he made a compact with his new subjects, by his coronation oath, the same with that of the Saxon kings.

The contents of this oath, as we find them delivered in Florence of Worcester, Simeon of Durham, Roger de Hoveden, and the Book of Ely, are these, "Omni clero et populo jurejurado promittens se velle sanctas Dei ecclesias ac rectores illarum defendere, nec non et cunctum populum sibi subiectum justè ac regali providentia regere, rectam legem statuere et tenere, rapinas injustasque judicia penitus interdicere." William of Malmesbury says, that he swore "Quod se modeste erga subjectos argeret, et æquo jure Anglos quo Francos tractaret." Probably none of these writers set down the exact words of the oath, but only the substance of them, as they understood it. For I entirely agree with Mr. Carte in opinion, that the old office used at king Ethelred's coronation, and after him by all our kings of the Anglo-Saxon race, was made use of by William the First, as we know it was by his successors,

V. Author-
res citatos
sub ann.
1066.

V. Malmsh.
de Gestis
Pontif. Ang.
l. iii. f. 154.

See Carte's
Hist. of
England, l.
v. p. 392,
et seq.

being

V. Du-
chesne Offi-
cium ad con-
stituendum
Normannie
ducem, p.
1050. Hist.
Norm. Go-
defroi cere-
mon. de
Franc.

being conformable in every point to the oath he had taken as duke of Normandy, and to that of the kings of France. But it is strange that Mr. Carte should say (as he does) that the Saxon kings only *promised upon their word* to keep the three articles, which the Norman princes afterwards *swore* to observe. The very office he refers to proves incontestably that the promise was made upon oath. The words are these, as I find them in the Cotton library, Claudius A. 3. “Hæc tria populo Chris-
“to et mihi subdito *in Christi promitto nomine*. Im-
“primis, ut ecclesia Dei, et omnis populus Chris-
“tianus veram pacem nostro arbitrio in omni
“tempore servet. Aliud, ut rapacitates et omnes
“iniquitates omnibus gradibus interdiciam. Ter-
“tium, ut in omnibus judiciis æquitatem et mise-
“ricordiam præcipiam, ut mihi et vobis indulgeat
“suam misericordiam clemens et misericors
“Deus, qui vivit, &c. His peractis, omnes
“dicant, Amen.” A more solemn oath than this can no where be found. But Mr. Carte, it seems, was unwilling to own it, lest it should appear that there was at all times in our government a compact between our kings and their people. Indeed a promise *on their words*, though without any oath, would have been a compact sufficient; for the *word* of a king should be *sacred*. Yet Carte endeavours to prove from what he calls *the late introduction of coronation oaths into practice*, that they had nothing in them of the nature of an original contract. But what comes of his reasoning, when it is evident that such oaths were *in practice* among the Saxons, as well as among the Normans? King Ethelred’s is the oldest of which any transcript has been preserved to our times; but there is no reason to think that the same form was not used by his royal predecessors.

In the same Cotton manuscript is the office used at the coronation of Henry the First, which con-
tains

See Carte,
p. 392, 393.

tains the same oath, with only these words which I have marked by Italic characters added to one of the clauses, "*Imprimis me præcepturum et operam pro viribus impensurum, ut ecclesia Dei, et omnis populus Christianus, veram pacem, &c.*" An addition that makes no alteration in the sense, but expresses it somewhat more clearly.

It is observable, that Ingulphus, who lived at that time, says that William's purpose in invading England, was *pro jure suo conquirendo*. And Sir H. Spelman has shewn in his Glossary, that *conquestus* and *conquisitio* were used in that age synonymously with *acquisitio*.

V. Ingulph.
p. 74. sub.
ann. 1066.
Gloss. Con-
questus.

P. 39. *That want was supplied by several insurrections, and conspiracies against his government, to which the nobility of England were afterwards driven by the iniquity of his ministers.*

I do not find that any of the nobles rebelled or conspired against William till the year one thousand and sixty eight : for the resistance made by Edric, surnamed *Sylvaticus*, or the Forester, against the depredations, which Richard Fitz-Scrope and the Norman governors of some castles in Herefordshire made on his lands, while the king was in Normandy, was no breach of his fealty. And the Kentishmen, who joined with Eustace, earl of Boulogne, in his design of seizing Dover castle, seem to have been yeomen, under no captain of any rank or distinction. Indeed it would have been strange, if the English nobility had revolted, while Edgar Atheling, Edwin, Morcar, and others of their greatest families, were in Normandy with the king, who wisely carried them over, that they might be hostages to him for the fidelity of their countrymen. And that none did revolt, while he was master of those pledges, appears from the best accounts. But the male-administration of those to whom he had left the government in his absence
excited

V. Genitic.
I. vii. c. 11.
p. 289.

excited some disorders among the common people, which were immediately quieted by his return into England : and, if he had then done the complainants justice against his ministers, he would, in all probability, have prevented the insurrections that happened the next year. If we may believe a Norman writer (William of Jumieges) a conspiracy was formed, during his absence, in the year 1067, for a general massacre of all the Normans in England, except the clergy, on Ash-Wednesday, when they were attending divine service unarmed and barefoot, according to the penitential discipline in use at that time. Supposing this fact to be true, it would much excuse the hatred and distrust of the English, which afterwards appeared in the conduct of this king. But it is mentioned by no other ancient historian, English or Norman ; not even by William of Poictou, inclined as he was to load the English, in order to justify his master. And what this author says himself is sufficient to disapprove it : for he tells us, that, upon the discovery of the plot, and sudden return of the king, the conspirators fled into an inaccessible part of Cumberland, and built Durham castle. But as such a conspiracy must have been general all over England, too many persons must have been concerned in it, to have escaped in such a manner ; and it is false that Durham castle was built by the English, besides the blunder of supposing it to be in Cumberland. The offended monarch would, undoubtedly, at his return, have made rigorous enquiries after the accomplices in so heinous a treason ; whereas it does not appear that he made any. The murder of Earl Coxo by his tenants, because he would not join with them in rebellion, is no proof of any general design of this nature ; as their discontent might be local and particular. Nor do those historians who mention that fact take any notice of this. Upon the whole I think it deserves no credit.

P. 41. *The Englishman, whom William trusted and favoured most, was Waltheof, eldest son to Siward Earl of Northumberland, famous for his victory over the tyrant of Scotland, Macbeth.*

This Siward was one of the most extraordinary f. 209. sect. men who lived in those times. H. of Huntingdon ^{40.} says, he was almost a giant in stature, and had a strength of mind not inferior to that of his body. In the battle against Macbeth he lost his son, and Ibidem. we are told, that, when he was informed of his death, he asked the messenger, *Whether he had received the mortal wound before or behind?* Being answered, that it was before, he said; *I greatly rejoice; for I esteem no other death worthy of me, or my son.* Another writer relates, that, feeling himself ready to expire from the violence of a bloody flux, he said, *It was a shame for a warrior, who had ineffectually sought death in so many battles, to die now like a beast,* and therefore he commanded his servants to cloath him in a complete suit of armour, took his battle axe in his right-hand, his shield in his left, and in that martial habit and posture gave up the ghost. Brompt. Chr. p. 946.

This was exactly in the spirit of the ancient Goths or Celts: and one should have thought that a great kingdom, the nobility of which had these sentiments, was in no danger of being conquered, a few years afterwards, by foreign arms. The son of Siward, Earl Waltheof, did not degenerate from his father: nor was Hereward inferior to either of them in valour. But no force of magnanimity or natural courage in a nation can enable it to resist a superior discipline, and a greater skill in the art of war.

P. 49. *Nor was he satisfied with having thus confined to himself the vast tracts of forest, that he found in this kingdom; but, to make a new one in Hampshire, laid waste a country of above thirty miles in extent, drove out all the inhabitants, and destroyed all their dwellings, not sparing even the churches, as much as he affected a respect for religion.*

Monfieur de Voltaire, in his *Abridgment of Universal History*, has questioned this fact; and all the doubts of a writer so ingenious as he, deserve a particular attention. His words are these, speaking of William the Conqueror: “ On luy reproche encore d’avoir détruit tous les villages, qui se trouvent dans un circuit de quinze lieues, pour en faire une forêt, dans laquelle il pût goûter le plaisir de la chasse. Une telle action est trop insensée pour être vraisemblable. Les historiens ne font pas attention qu’il faut au moins vingt années, pour qu’un nouveau plan d’arbres devienne une forêt propre à la chasse. On luy fait semer cette forêt en 1080. il avoit alors 63 ans. Quelle apparence y a-t-il, qu’un homme raisonnable ait à cet âge détruit des villages pour semer quinze lieues de bois dans l’espérance d’y chasser un jour?”

The whole force of this objection consists in the improbability, that a reasonable man should have depopulated a circuit of fifteen leagues to sow or plant a forest therein, when he was so old that, according to the usual course of nature, he could not live long enough, to have any hope of hunting in it after the trees were grown up, which would require twenty years, at least. But how does it appear, that, in order to make the *New Forest*, it was necessary for William to *sow* or *plant* any trees?

Within the extent of the country *afforested* by him there might be many grown woods, sufficient
to

to afford a cover for game of all kinds, but interspersed with large tracts of cultivated lands, full of towns, villages, and farms; which being destroyed, and all tillage forbidden there, these tracts would be converted into spacious open lawns, very proper for hunting. It is in no wise requisite that a forest should consist of nothing but wood, or should be laid out (as some of the French forests are) in regular alleys of trees.

I will however agree with Monsieur de Voltaire, that the making the *New Forest*, even in the manner here explained, (which is infinitely less absurd than what he supposes) was an extravagant act. But very foolish things have often been done by very sensible men, especially to indulge a favourite passion, and in the wantonness of absolute power. Extraordinary facts, *well attested*, must not be denied, only because they are improbable. How many great improbabilities are there in the Life of Charles XII, king of Sweden, so excellently written by Voltaire himself! The fact in question here is strongly supported by a great number of vouchers. Florence of Worcester, a contemporary author, mentions it in these words, when he is relating the death of William Rufus: "Nec mirum (ut populi rumor
" *affirmat*) hanc proculdubio magnam Dei virtutem esse et vindictam. Antiquis enim temporibus, Eadweri scilicet regis, et aliorum Angliæ regum, prædecessorum ejus, eadem regio incolis Dei cultoribus et ecclesiis nitebat uberrimè; *sed*
" *jussu regis Gulielmi senioris, hominibus fugatis, domibus semirutis, ecclesiis destructis, terra ferarum tantum colebatur habitatione; et inde, ut creditur, causa, fuit infortunii.* Nam et antea ejusdem Gulielmi junioris germanus Richardus in eadem forestâ multo ante perierat, et paulo ante suos fratruelis Ricardus, comitis scilicet Norman. Roberti filius, dum et ipse in venatu fuisset, à suo milite sagittâ percussus interiit. In loco,
VOL. I. L I "quo

“quo rex occubuit, prisco tempore ecclesia fuerat
 “constructa; *sed patris sui tempore* (ut prædiximus)
 “*erat diruta.*” (V. Florent. Wigorn. sub anno
 1100.) And William of Malmesbury, speaking of
 the death of Richard, one of the sons of William
 the Conqueror, says, “Tradunt cervos in novâ
 “forestâ terebrantem tabidi aëris nebulâ morbum
 “incurrisse. *Locus est quem Wilbelmus pater, de-*
 “*sertis villis, subrutis ecclesiis, per triginta, et eo*
 “*amplius, milliaria, in saltus et lustra ferarum re-*
 “*degerat, infando prorsus spectaculo, ut ubi ante*
 “*vel humana conversatio, vel divina veneratio ferve-*
 “*bat, nunc ibi cervi et capreoli, et cæteræ illud ge-*
 “*nus bestia pertulenter discursitent, nec illæ quidem*
 “*mortalium usibus communiter expositæ. Unde pro*
 “*vero asseritur quod in eadem sylva Wilbelmus,*
 “*filius ejus, et nepos Richardus, filius Roberti comi-*
 “*tis Normanniæ, mortem offenderint, severo Dei*
 “*judicio ille sagitta pectus, iste collum trajectus, vel*
 “*(ut quidam dicunt) arboris ramusculo, equo per-*
 “*transiente, fauces appensus.*”

Can it be conceived that either of these two historians, but especially William of Malmesbury, the best informed of all our ancient writers, who published his history under the reign of one of the grandsons of William the Conqueror, and dedicated it to another, should have ventured to ascribe such an act to that king, unless it had been notoriously and undeniably true? And whence could arise the popular notion, taken notice by both authors, *that the judgments of God had fallen on his family in the new forest, because of the offence he had committed in making it*, if it had not been made by him, as they have related? This is a very strong testimony of the fact; which is also delivered down to us by Henry of Huntington, who published his history in the reign of king Stephen. His words are these, speaking of William the Conqueror: “Amavit
 “autem feras, tanquam pater esset earum: unde in
 sylvis

“*sylvis venationum, quæ vocantur Novesforest, ecclesias et villas eradicari, gentem extirpari, et a feris fecit inhabitari.*” Simeon of Durham, who wrote under King Henry the First, transcribes the words above-recited from Florence of Worcester concerning this matter. It is likewise confirmed by many good historians of the next age, particularly Hoveden, sub anno 1100. Bromton in fine Gul. I. and Walter Mapes, quoted by Camden in his Britannia, HAMPSHIRE. One cannot reasonably suppose, that so many writers, of the greatest authority in the times when they lived, should have published a story, the falshood of which, had it been a fiction, must have been notorious to all England; especially about a matter, in which no dispute either of religion or of party had any concern. Nor has it been ever contradicted by any one author, who lived in or near to those times.

P. 53. *The lands of the bishops and greater abbots, which had been held before in frankalmoigne, or free alms, were, by the authority of the whole legislature, in the reign of this prince, declared to be baronies, and bound to the same obligations of homage and military service, as the civil tenures of the like nature, agreeably to the practice in Normandy and in France.*

That this was not an act of the king's absolute power, but done with the advice and consent of his parliament, I do not only assert upon the authority of the learned Mr. Selden, but from the charter of Henry the First, which annuls *all unjust exactions, &c.* and restores the laws of Edward the Confessor, with such emendations as his father had made *assensu baronum suorum*. But that charter did not take off the obligations imposed on the church-lands: therefore this alteration must have been one of those that

were made *assensu baronum*, which words are frequently used, in the charters and writings of those days, to signify the consent of the whole parliament. It is not quite certain, whether it was made by a particular and separate act, or by that general law, which subjected the other lands of the kingdom of England to the same kind of tenure: but it appears from Matthew Paris that the time when it was put in full execution was in the year 1070, the fourth of W. I. His words are these: "Episcopatus quoque et abbatias omnes quæ baronias tenebant, et eatenus ab omni servitute seculari libertatem habuerant, sub servitute statuit militari, inrotulans singulos episcopatus et abbatias pro voluntate sua, quot milites sibi et successoribus suis, hostilitatis tempore, voluit a singulis exhiberi." (V. Mat. Par. sub ann. 1070. p. 5.) It cannot be supposed, that the Normans, and other foreigners, to whom William gave lands, ever held them any otherwise than under homage to him; and we are told by Matthew Paris, that in the very first year of that king's reign, when, upon his return to England, he made large grants of the estates of the English to those who had served him at the battle of Hastings, he put the remainder under *the yoke of perpetual servitude*. "Sed non multo post ad Angliam rediens commilitonibus suis, qui bello Hastingenſi regionem secum subjugaverant, terras Anglorum et possessiones affluentiori manu contulit, illudque parum quod remanserat *sub jugo posuit perpetuæ servitutis*." (V. M. Par. sub ann. 1067, p. 4.) Now that this does not mean slavery, but merely the being subjected to the feudal obligations introduced by the Normans, appears from the same historian: for where he says, that those obligations were laid on the lands of the bishops and abbots, he uses the same expression, "et rotulos hujus ecclesiasticæ *servitutis* ponens in thesauris, &c." And the author

thor of the Saxon Chronicle uses the word *servi* in the same sense : for when he mentions the homage done to William the First, in the year 1085, by all the considerable landholders in England, Normans and English, he says, “ Et omnes prædia tenentes, “ quotquot essent notæ melioris per totam Angliam, “ hujus viri *servi* fuerunt, omnesque se illi subdi- “ dere, ejusque facti sunt vassalli, ac ei fidelitatis “ juramentum præstiterunt.” We may therefore conclude from the above-mentioned passage in Matthew Paris, and from the reason of things, that this prince delayed no longer to introduce the Norman tenures into his realm, than till the latter end of the first year of his reign, when he had taken such measures for the securing of his power, as, he believed, would enable him to do it with safety. But though the law then enacted, to make this alteration, might be intended by him to comprehend the church-lands together with the others thus infeoffed ; yet, as the bishops and abbots might not submit to it with the same readiness as the laity, on pretence that their possessions ought to be exempted from all secular burthens and duties, it was not, perhaps, fully established, till about two years afterwards, viz. in 1070. when rolls were made out, and laid up in the Exchequer, specifying the number of knights which they were required to furnish to the king, in proportion to the extent of the fiefs they possessed. Matthew Paris informs us, that many ecclesiastics were driven out of the realm by the king for opposing this constitution. “ Multos viros “ ecclesiasticos, huic constitutioni pessimæ reluctan- “ tes, a regno fugavit.” But though the whole kingdom was then subjected by law to the Norman feudal tenures, the general homage of all the landholders, mentioned in the Saxon chronicle, as cited above, might not be paid till some years afterwards, when many more foreigners had been put into possession of lands in this kingdom, and the English

V. M. Paris,
ut supra
sub ann.
1070. p. 5.

Idem ibid.

were brought into a more absolute and more quiet state of submission to their new government.

P. 54. *Alexander the Second was very glad to take this occasion of bringing that church into a state of subjection to Rome, from which it had hitherto preserved itself free beyond mere compliments and forms of respect.*

V. Bede's
Eccles. Hist.
l. iv. c. 17.
See also
Inett's hist.
of the
English
church, c. 8.
p. 128.

V. Eddii
Vit. Wilfrid.
Inett's hist.
of the
English
church, c. 6.

The first regular settlement of the doctrine and discipline of the English church seems to have been at the council of Hatfield held under Theodore archbishop of Canterbury, in the year 680. That assembly declared their reception of the five first general councils, the canons of which declare, that all controversies shall be finally determined in the provinces wherein they arise; and that the authority of Metropolitans in their synods shall be final and without appeal. To this doctrine it appears that the church of England adhered in all its public acts and declarations, till it fell under the government of the Normans. The affair of Wilfrid bishop of York, contemporary with Theodore, the above-mentioned archbishop of Canterbury, has been urged by some as a proof of its having been, even in those times, subjected to Rome: but upon examination I think it will appear to prove the contrary. This prelate having been deprived of his bishoprick, which after his expulsion was divided into three by Æcgfrid king of Northumberland and his council, went to Rome, and obtained from pope Agatho, and a synod assembled under him, an opinion, or judgment, that he ought to be restored; and that if the interests of religion required the division of his diocese, yet such bishops as he approved of should be placed in them: to enforce which they decreed, that, if any bishop or presbyter refused obedience thereto, he should be deposed; and if any layman, he should be denied the holy sacrament. This was cer-

certainly an attempt to stretch their authority over the English church: but when Wilfrid brought these extraordinary resolutions to Æcgfrid, that prince, by the advice of his bishops and nobles, whom he had assembled, to consult with them upon this matter, sent him to prison. Being delivered from that confinement he went into exile, from whence he did not return till after the death of Æcgfrid. He was then restored to his bishoprick by the intercessions of Theodore archbishop of Canterbury, who had before been his enemy, but was reconciled to him now, and recommended him to Alfrid, Æcgfrid's successor in that kingdom, on account of the services he had done to God and the church, during the time of his exile, by converting the Frisians and South-Saxons. Yet having, not long afterwards, quarrelled with Theodore, and offended Alfrid, he was again driven from his see and taking shelter in Mercia, was made Bishop of Leicester. There he remained till after Theodore's death: but, about the end of the seventh century, Alfrid, and Berthwald archbishop of Canterbury, together with most of the English bishops, sent for him to confer with them, and, after long and warm disputes, determined to deprive him of all he held either in Mercia or Northumberland; from which resolution, however, they so far departed, as to allow him to retain the abbey of Rippon, if he would retire thither, and never stir beyond the bounds of that monastery without leave of the king. In answer to this, besides pleading the merit of his services to the church, he reproached the king and the bishops for having preferred the constitutions made under Theodore to the judgment of the Apostolic see, *and having despised its authority for two and twenty years together*: concluding with a threat, that he would go to Rome and vindicate his innocence *before the wise men of that church*. Where-

Inett, c. 7.
P. 116, 117.

Eddii Vit.
Wilfrid, c.
45. Inett, c.
9. p. 133.

upon the king and the archbishop declared, ~~th~~
~~chusing~~ rather to be judged by them than by the coun-
 cil, he had sufficiently merited a condemnation fro
 the council : and the king offered to compel him
 submit to their judgment ; but they, having promised
 that no violence should be offered to his person,
 dissuaded the king from this course ; yet, to assert
 their own authority, they immediately excommuni-
 cated him, with all his adherents. Under this sen-
 tence he applied once more to the see of Rome, to
 which also the council sent an accusation against him,
 to justify themselves in the opinion of that see, but
 with no acknowledgment of any authority or jurif-
 diction therein above their own : for, on the con-
 trary, the first and chief article of the charge they
 brought against Wilfrid was his refusal to submit
 to their judgment. After long deliberations the pope
 and his synod declared him innocent, received him
 into their communion, and sent him to England,
 with letters that were written rather in the style of
 intercessions than decrees, desiring that Berthwald
 archbishop of Canterbury should call a council for
 the rehearing the cause of Wilfrid, and determin-
 ing it among themselves ; but, that in case it could
 not be thus adjusted, the parties concerned should
 come to Rome ; the pope assuring them, that he
 would call together a greater number of bishops
 than was present there at that time, and endeavour,
 with their assistance, finally to decide this affair.
 One of these letters being directed to Berthwald,
 upon the delivery of it by Wilfrid, that prelate
 thought it best to be reconciled to him, and pro-
 mised him to *mitigate* the harsh decrees the former
 synods had made against him. Another letter from
 the pope was addressed to Ethelred, king of the Mer-
 cians, who had been always a friend to Wilfrid ;
 but he, having retired from the throne to a monastery,
 could only recommend that prelate to Kenred, his
 cousin-

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cousin-german and successor; which he did with good effect. But some time afterwards Kenred having sent envoys to Alfrid, king of Northumberland, to desire his leave for Wilfrid to come and wait upon him with the letters he had brought from Rome, that prince received them graciously, and having advised with his council returned this answer: "that he had a great value for their persons, and if they would ask him any thing for themselves he would readily gratify them; but commanded them not to sollicit him any more in the affair of Wilfrid: *For (said he) what my predecessors, the kings of Northumberland, with the archbishop and their council did formerly agree upon, and what myself, with an archbishop sent from Rome, together with the greatest part of the English bishops, have again determined, I will never alter while I live, out of regard to what you call the writings of the Apostolic see.*" By an archbishop sent from Rome, Alfrid meant Theodore, who had been promoted to Canterbury by the recommendations of that see. But this king dying soon afterwards, Wilfrid applied to his successor Eadwolf, who, by the advice of his council, sent him word, *that if he did not depart out of his kingdom within six days, he would put to death all his friends and followers that he could lay hold of.* This would certainly have put an end to Wilfrid's applications, if that prince had lived long: but he was dethroned by a conspiracy in favour of Ofred, the son of the late king, who was a child of eight years old, and the government falling into the hands of some persons who favoured Wilfrid, Berthwald archbishop of Canterbury came into Northumberland, and held a council there, with the bishops, abbots, and nobility of that kingdom, to whom he declared his reconciliation with Wilfrid, and urged in his favour the judgment of the pope and his council. But many of the bishops, and among them some who were afterwards *sainted,*

asked, *Who had power to change those things which their predecessors, together with Theodore, archbishop by the favour of the Apostolick see, and king Æcgfrid, had long before determined; and which had since been confirmed by king Alfrid, and archbishop Bertwald himself, together with most of the English bishops, assembled in the council of Osterfield.* This question implies the most absolute denial of the papal authority over the English church: and it does not appear, that the council were of another opinion: but Elfleda, abbess of Whitby, and sister of Alfrid, having declared to them, that her brother did, upon his death-bed, make a vow to consent to the restoration of Wilfrid, and charge his successor to perform it, this temperament was agreed to, viz. that John, then bishop of Hexam, should be removed to the see of York, which happened luckily to be vacant, and that Wilfrid should succeed to him in the bishoprick and abbey of Hexham, and enjoy together with them his abbey of Rippon. Thus ended this affair, in the whole process of which I think it appears, that the see of Rome would gladly have taken advantage, of the peculiar respect and deference, which the lately-converted Saxons naturally paid, in the first heat of zeal, to that church which had sent them their first instructions, in order to establish its supremacy and jurisdiction in England: but that this attempt was resisted; and that in the final conclusion of the dispute about Wilfrid and the division of his see, though a weak government, under a minor king, was a circumstance of great benefit to that prelate, yet still the concessions made to him by the council, which gave him the see of Hexam and the two abbeys above-mentioned, were made in such a manner, as indicated no subjection to the papal authority. And though, in later times, that authority extended itself more and more, over o her western churches, it did not gain any ground among the Anglo-Saxons.

For

For it is declared by one of the canons of the council of Calcuith, held in the year 816, that it was unlawful for any bishop to meddle in the affairs of any diocese but his own, except the archbishop alone, who was the head of the bishops in his province, and had the power of judging finally of all offences against the canon, where the offenders refused to submit to the decision of their own diocesans. And the accurate and judicious Mr. Inett, in his history of the English church, has truly observed, "That, from the first planting of Christianity amongst the English till this time, there is not so much as one canon that reserves any one case to the judgment of the bishops of Rome, or so much as takes notice of any authority they had over the English church, but, on the contrary, the constant conduct of the English bishops was such as shews, that they ever esteemed the English a free and independent church, and under no obligations to the bishops of Rome, but such as gratitude, affection, and an opinion of the wisdom and holiness of those prelates laid upon them." He also remarks very sensible upon the synodical epistle, sent by the bishops of England to pope Leo the Third, in the year 798, "That by asserting therein (as they did very explicitly) their right to consecrate their own metropolitans, and that their going to Rome to demand their palls was a novelty and abuse, they did plainly assert their being a church free and independent on the patriarchate of Rome: the consecration, or at least the confirmation of metropolitans within their patriarchate, being ever esteemed the first and distinguishing right of every patriarch."

P. 255. c. 16.

See Inett's
hist. of the
English
church, c.
14. p. 232.

After the council of Calcuith, we find no change in the sentiments of the English with regard to the independency and liberty of their church till the coming

Ibid. c. 18.
p. 299, 300.

coming in of the Normans. The above-mentioned author well observes, upon occasion of the new bishopricks erected about the year 909, "That the kings of England, with the advice of their bishops and people, founded or divided bishopricks as they saw cause, and without expecting any authority, or allowance, or approbation from abroad. And the great number of ecclesiastical laws made by king Alfrid and Edward his son, as well as by their predecessors, and this too with the advice and good liking of their clergy, leave no possibility of doubting that the supremacy in ecclesiastical, as well as civil causes, was hitherto esteemed the undoubted right of the kings of England."

I shall conclude this note with remarking the contempt of the papal power, shown even during the reign of Edward the Confessor, by Stigand archbishop of Canterbury, who, though excommunicated by Rome, continued to discharge his metropolitan functions, against her express prohibitions, repeatedly sent to him for nineteen years together. An instance which proves, not only his opinion of the want of authority in that see to judge or controul him, but also the opinion of the whole English church: for they would not have acknowledged his metropolitan power, nor have even continued in communion with him, if they had been directed by the judgments, or in any degree subjected to the authority of Rome.

- P. 55. *The legates therefore had orders to serve him according to his wishes; and none disputing what he agreed to, they were permitted to exercise such an authority and jurisdiction in England as never had been granted to any before, &c.*

See Conci.
Brit. p. 292.
&c Anglia
sacra, pars
I. p. 461.

The first legates from Rome who came into this island since Austin the Monk, and the last till the reign of William the Conqueror, were the bishops

bishops of Ostia and Todi, who, about the year 786, were sent into England by Adrian the first. The bishop of Ostia went to the court of Offa, king of Mercia, who made great court to the see of Rome, and seems to have desired this legation for purposes of his own. The bishop of Todi repaired to a council held in Northumberland, to which he proposed and recommended some articles of doctrine and discipline, drawn up by Adrian for their use and instruction; and these, being first approved by the legislature in that kingdom, were then, by both legates, proposed to the English bishops south of the Humber, who were assembled at Calcuith upon this affair. But though they were received by both these councils, it was done in such words as import no acknowledgment of any degree of *subjection* to Rome, but merely as an *approbation of wholesome admonitions*. Whereas the councils held under the legates sent into England during this reign were *convened by their summons*, and *subjected to them*, who, in the name of the Pope, exercised judicature over the bishops of England, and over their primate, with a plenitude of power unknown to this country in any former times.

P. 59. *William was now grown infirm, and wished for peace in his old age: but grievous depredations having been made by the French on the borders of Normandy, and his patience insulted by words of contempt, thrown out in publick by Philip against him, his great spirit was roused, &c.*

The words were to this effect, *that the king of England, having been lately delivered of his great belly, was now lying-in at Rouen, &c.* which indecent sarcasm was founded upon William's having gone through a course of physick there, to bring down a too corpulent habit of body, and a very prominent belly, with which he was much incommoded. This being repeated to him, he swore by
the

See Malmsh.
l. iii. de W.
l. f. 63.

the resurrection and splendor of God, that, when he should go to mass at his churching, he would light up to Philip a hundred thousand candles; alluding to the custom women had, in those days, of offering lighted candles when they were churching, but meaning, that he would fire some French town, to revenge the contempt thrown upon him; which menace he put in execution against the city of Mans. The jests were coarse on both sides; but, I think, they are worth repeating here.

P. 60. *His constitution enabled him to endure any hardships, and very few were equal to him in personal strength, &c.*

V. Gest.
Gul. Duc.
Norm. ap.
Duchefne,
P. 199.

Of this William of Poitou has given an instance which it may not be improper to mention here. He tells us, that the duke, upon his landing in England, having been out with a small party to *reconnoitre* the country, and, as he returned, being obliged, by the difficulty of the road, which they could not pass on horseback, to march on foot, one of his attendants, William Fitzosborn, a person famous for vigour of body and mind, was so fatigued, that he was not able to carry his own shield: but the duke took it from him, and bore it together with his own, till they came to the camp.

P. 64. *The anger of William the First against his eldest Son Robert, was so confirmed by the last rebellious acts of that prince, that, although on his death bed he gave a full and free pardon to all his other enemies, he did not extend it to him, but punishing him as much as lay in his power, bequeathed the crown of England to William Rufus, &c.*

Ingulph. hist.
p. 106. edit.
Gale.

Ingulphus, who was contemporary with William the First, writes thus of this matter: "Cum enim
" glori-

“ gloriosissimus rex Wilhelmus primus in fata cessisset, et Normannium Roberto filio suo seniori dimisisset, ac Angliam Wilhelmo filio suo juniori *per testamentum legasset.*” This evidence is sufficient, but it is confirmed by other writers of the greatest authority. William of Malmshury says, “ Normanniam invitus et coactus Roberto, Angliam Wilhelmo *delegavit.*” Malmsh. de W. L. Florence of Worcester, Henry of Huntingdon, Simeon of Durham, and Hoveden, express themselves in the same manner. And William of Newbury writes thus, V. Neubrig. l. i. c. 1. “ Gulielmus autem, postquam regnum fortiter adquisitum per annos xxi. nobiliter tenuit, cum jam sub extrema sorte decumberet, tres filios *designavit heredes.* Et quidem Robertum, primogenitum suum, quia paternæ pietati inofficiosus et rebellis exstiterat, ducatu contentum esse voluit: sui vero nominis filio, in quo sibi melius complacebat, *regnum Angliæ assignavit.*” Yet Ordericus Vitalis seems to deny the truth of the fact, in a speech which he supposes William the First to have made when he lay on his death-bed. The words are these, “ *Neminem Anglici regni consensuo heredem; sed æterno conditori, cujus sum, et in cujus manu sunt omnia, illud commendo.*” He then puts into his mouth an ample confession of the injustice and cruelty, with which he had obtained and governed the kingdom; and concludes thus, “ *Falces hujus regni, quos cum tot peccatis obtinui, nulli audeo tradere, nisi Deo soli.*” This speech is repeated word for word, in a fragment prefixed to Walsingham’s history in Camden’s edition, the whole of which appears to me to be only a Transcript from Ordericus Vitalis, and certainly was not written (as Camden conjectures) by William of Poictou: for that historian did not bring down his history so far as the death of William the First. (See Order. Vital. p. 514.)

Some

Some modern writers have given more weight to the passage in Ordericus Vitalis than it deserves. No other argument can be justly drawn from it, than to shew what opinion the historian himself had of the title and government of William the First. For if that king on his death-bed, had really, used such expressions, in so publick a manner, before all his barons, surely some other historian, who lived in that age, would have taken notice of it: but all the contemporary writers, English or foreign, are quite silent about it. William of Malmshury says indeed, that when the physicians, upon inspecting his urine, pronounced he would die, he made great lamentations, that a hasty death should prevent him from amending his life, as he had long intended to do. “*Consulti medici inspectione urinæ certam mortem prædixere: quo audito, querimoniâ domum replevit quod eum præoccuparet mors emendationem vitæ jamjudum meditantem.*” But this is far from such an express condemnation of himself, with regard to the methods by which he had acquired and governed England, as Ordericus Vitalis had made him pronounce. I therefore think, that the whole speech (as it is set down in that author) must be considered as a mere *fiction*, alluding indeed in several parts of it to matter of fact, but never spoken by William, and rather expressing the sense of the historian than of the king. Be this as it may, it still appears, from Ordericus Vitalis himself, that, notwithstanding the words here cited, that prince did bequeath his crown to William Rufus. For he not only makes him say to the barons about him, “*Gulielmum, filium meum, qui mihi a primis annis semper inhæsit, et mihi pro posse suo per omnia libenter obedivit, opto in spiritu Dei diu valere, et in regni solio, si Dei voluntas est, feliciter fulgere;*” but he afterwards adds, “*His ita dictis, metuens rex ne in regno*
“ tam

V. Malmsh.
de W. I. f.
63. fol. 10.

“ tam diffusio repentina oriretur turbatio, *epistolam*
 “ *de constituendo rege fecit Lanfranco archiepiscopo,*
 “ *subque sigillo tradidit Gulielmo Rufo filio suo, ju-*
 “ *bens ut in Angliam transfretaret continuo. De-*
 “ *inde osculatus eum benedixit, et ad suscipiendum*
 “ *diadema properanter direxit.*”

The very ingenious and learned author of a late P. 211.
Essay towards a general history of feudal property in
Great Britain observes, “ That a notion prevailed
 “ in these times, that, when a son was provided
 “ for, or, as it is termed, both in the feudal and
 “ civil law books, *forisfamiliated*, he had scarce
 “ any right to expect any thing further from his
 “ father; a consequence of which was that the
 “ grandson could expect still less from his grand-
 “ father. And hence (says he) in the publick suc-
 “ cessions of England, on the death of William the
 “ Conqueror, William Rufus succeeded to the crown,
 “ in exclusion of his elder brother already provided in
 “ the dutchy of Normandy. On the death of Henry
 “ the First, Stephen took the same crown, in prefe-
 “ rence to his elder brother Theobald, already earl of
 “ Blois. On the death of Richard the First, John
 “ succeeded, to the exclusion of Arthur, his eldest
 “ brother’s son, already duke of Britany.” But, in
 these applications of the above-mentioned notion
 to publick successions, that author has certainly been
 mistaken. For there is not the least intimation in
 any historian who wrote in those times, that Wil-
 liam Rufus was preferred to Robert his eldest bro-
 ther, on account of his having obtained the dutchy
 of Normandy during the life of his father. In-
 deed he never obtained it, till after the death of
 that king; though, to force his father to give it
 him, he made war upon him; which, most certainly
 he would not have done, if he had imagined that
 the consequence of his prevailing in that demand
 would be an exclusion of him from his succession to

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the kingdom of England. It appears, from the passages before-cited from William of Newbury, on what account he really was deprived of that kingdom, viz. the anger of his father against him for his undutiful and rebellious behaviour. “ Et quidem Robertum, primogenitum suum, *quia paternæ pietati inofficiosus et rebellis exstiterat*, ducatu contentum esse voluit: sui vero nominis filio, *in quo sibi melius complacerebat*, regnum Angliæ assignavit.” Nor could Theobald’s being possessed of the earldom of Blois be the reason why Stephen was preferred to that prince in his claim to the crown of England; seeing that Stephen himself, at the very time of his election, enjoyed the two earldoms of Mortagne and Boulogne, and therefore was *provided for* as well as his brother. It was no objection to Henry the Second’s succession in England, that the duchy of Normandy had been made over to him, during the life-time of his father and mother; or that, when he came to pursue his claim to the crown after the death of his father, he had many more very great dominions in France. Whereas, if the above-mentioned notion had prevailed in publick successions, his youngest brother would have had a better title than he. And John, his youngest son, would have succeeded to him in the kingdom of England, instead of Richard Cœur de Lion; since the latter was duke of Aquitaine before the death of his father. But we do not find any trace in history or records, that John ever thought of setting up such a claim. And it surely was not, because prince Arthur, his nephew, *was a ready duke of Britany*, that he succeeded to Richard; but because the right of *representation* not having been yet sufficiently or universally fixed, either in fiefs, or in kingdoms where the feudal laws were received, his claim was thought preferable to that of his nephew, on the old principle of *nearness*
of

of *the blood*, and also from the regard that was paid by the nation to Richard's *nomination of him by his last will*. The author of the above-mentioned essay himself, with an ingenuity and a candour that do him much more honour, than he could receive from the discovery of any new light in a point of this nature, has allowed me to say, that he is convinced he was in an error, with regard to this matter.

P. 64. *Richard, who is said to have been a young prince of great hopes, having died some years before.*

William of Malmſbury ſays, that he died of a diſtemper caught by the bad air of the New Foreſt in which he uſed to hunt. Theſe are the words of that hiſtorian : “ Richardus magnanimo parenti ſpem laudis alebat, puer delicatus, et, ut id ætatulæ puſio, altum quid ſpirans. Sed tantam primævi floris indolem mors acerba cito depaſta corruptit. Tradunt cervos in Nova Foreſta tererantem *tabidi aëris nebulâ mortem incurriſſe.*”

v. Malmſb.
de Will. I.
l. iii. f. 62.
ſect. 30.

After which he mentions the barbarities committed by William the Firſt in making the New Foreſt, and the death of his ſon William Rufus, and of his grandſon Richard, a natural ſon of Robert; one of whom was mortally wounded with an arrow in his breaſt, and the other in his throat; or (as ſome relate the ſtory) was ſtrangled by a bough, which twiſted itſelf about his neck, as his horſe carried him under a tree, in that Foreſt. But other hiſtorians tell us, that Richard, William's ſon, was killed there by a ſtag, which gored him with his horns. I ſuppoſe that William of Malmſbury's account is the trueſt; becauſe a deſire of ſhewing, that the cruelty of the father, in making that Foreſt, was purſued, even in this world, by the particular vengeance of God on the family, as well as *the love of the marvellous*, might in-

cline those historians to alter, or add to, the truth, with regard to the circumstances of this prince's death.

P. 68. *The silver money alone, according to the best computation I am able to make, was equivalent at the least to nine hundred thousand pounds of our money at present.*

To understand many passages which occur in this history, it will be necessary to settle as nearly as we can, what the nominal and real value of money then was, compared with the present.

V. Chron.
pretiosum,
c. v. p. 118.
V. Petri
Blesensis
continuat.
c. iii. p. 18.

Bishop Fleetwood, who has written a book on this subject, quoting the words of an ancient historian upon the agreement made with King Henry the First by his eldest brother Robert, viz. that Robert, in lieu of his claim to the kingdom of England, should have 3000*l. per annum in weight*, says, "that the words *in weight* are put in to signify "that the money should not be clipped: *for a pound by tale was at this time, and long after most certainly a pound in weight.*" He also cites *Du Fresne* to prove that the *Libra Gallica* was the same with the *Libra Anglo-Normannica*.

See Atkyns's
Gloucester-
shire, p. 8.

Another learned antiquary, Sir Robert Atkyns, says, "that in the Norman times, and ever since, a shilling was accounted twelve pence, and every penny weighing three pence, there must be the weight of three of our shillings in one shilling of the Norman computation, and consequently twenty Norman shillings do likewise make a pound weight."

History of
the Exche-
quer, c. ix.
p. 188.

Mr. Madox, in his history of the Exchequer, cites a short treatise touching sheriffs accounts, supposed to be written by Sir M. Hale, in which are these words. "The solutio ad pensum was the payment of money into the Exchequer by full weight, viz. *that a pound or xx shillings in silver*
" numero,

“ numero, *by tale*, should not be received for a pound, unless it did exactly weigh a pound weight Troy, or twelve ounces; and if it wanted any, that then the payer should make good the weight, by adding other money, although it amounted to more or less than six pence in the pound (which was the *solutio ad scalam*). And thus frequently occurs in the pipe rolls, *In the sauro C l. ad pensum*, or full weight.” Upon this passage Mr. Madox makes these observations: “ There is frequent mention made in the most ancient Pipe-rolls of payment *ad pensum*; but not (that I know) of payment *ad scalam*. On the other part, his observation touching the payment *ad scalam*, viz. in the six pence *per* pound advance, is, I believe, just.” Which he confirms by authorities in the Exchequer, and shews it was so accounted from the reign of Henry the First, to the end of the reign of Edward the First.

But Mr. Folkes, in his table of English coins, See Folkes, P. 45. says, “ that king William the First introduced no new weight into his mints, but that the same weight, used there for some ages after, and called the pound of the Tower of London, was the old pound of the Saxon moneyers before the conquest. *This pound was lighter than the Troy pound by three quarters of an ounce Troy*, and did not very sensibly differ from twelve ounces of the weight still used in the money affairs of Germany, and there known by the name of the *Colonia* weight. And whereas the present standard of England, of eleven ounces two penny weight fine, to eighteen penny weight of allay, is called, in the oldest accounts of the mint extant, the Old standard, or the standard of the Old sterlings; it is most probable that these pennies were of that standard, and that the pound of the Tower of such standard silver was then cut into 240 of these pennies. Whence

"the weight of the penny will be found 22 Troy grains and a half, and the intrinsic value of twenty shillings, or of 240 such pennies of full weight, was the same as the value of fifty-eight shillings and one penny half-penny of our present coined money."

Nevertheless, to avoid troubling the reader with fractions, I shall, with the above-cited authors, suppose, that from the beginning of the reign of William the First, till after the death of Henry the Second, the English pound must be understood to mean a pound weight of silver, containing three times the quantity of silver contained in our present pound sterling, the shilling and pennies weighing also three times as much as ours.

It appears from a passage in Florence of Worcester, that the common *mark* in those days was *two thirds of a pound of silver*, that is, twice the value of our present pound sterling. His words are these, "*Pacem inter fratres eâ ratione composuerunt, ut ter mille marcas, id est, 2000 libras argentis, singulis annis rex persolveret comiti, &c.*" And agreeably to this, Mr. Madox shews in his history of the Exchequer, "that nine marks of silver were equivalent to six pounds in the reign of king Stephen; that is, they were then, as they have continued ever since, 13s. 4d." He also observes from the Pipe-rolls, that, in the same reign, nine marks of silver were accepted in payment for one mark of gold. And that, in another instance under the reign of Henry the Second, six pounds in silver were paid for one mark of gold.

The Angevin pound, of which mention is sometimes made in the history of those times, was but a fourth part of an English pound; for Hoveden says, that by an ordinance of Richard the First, while he was in Sicily, during the crusade, *one pen-*

V. Flor.
Wig. sub
ann. 1123

See Hist.
of the
Excheq. p.
189. c. 9.
Mayn. Rot.
5. Stephan.
Rot. 5. a.
Mayn. Rot.
2. Hen. II.
Rot. 12. b.

V. Annal.
Pars polite-
tica. R. I. f.
334. sect. 1.
40.

ny English was to go in all markets for four Angevin pence.

Having thus shewn how much silver was contained in the pounds and marks of those days, I shall next endeavour to shew what proportion the value of silver then bore to the common value of it at present.

This has been estimated differently by authors who have treated the subject, some thinking that it ought to be reckoned at twenty, some at fifteen or sixteen, and some at ten times the present rate.

To form some conjecture, which of these computations is nearest the truth, or rather to shew that they are all much too high, I shall transcribe a few passages from the contemporary authors.

And first, with regard to the price of corn in those times, (which is thought the best standard to judge by in determining this question) I find that, in the year 1126, the 25th of Henry the First, V. H. Hunt. Hist. l. vii. f. 219. sect. 30. six shillings a quarter was thought an excessive price to be given for wheat. Henry of Huntington says, "*Iste est annus carissimus omnium nostri temporis, in quo vendebatur onus equi frumentarium sex solidis.*" And Henry of Hoveden, V. Hoveden, ann. para prior, f. 274. whose history is carried down to the year 1201, describes this with the same, and even stronger expressions, "*Hoc anno (id est, 1126.) fames magna, et annonæ tanta fuit caritas, quantam nemo nostro in tempore vidit, quando vendebatur onus equi frumentarium sex solidos.*" By another passage in Henry of Huntington it appears, that *onus equi frumentarium* was the same as *sextarius*, what we now call a quarter, containing eight bushels. His words are these, "*Circa hoc tempus (Edwardi Confessoris anno quinto) tanta fames Angliam invasit, quod sextarius frumenti, qui equo uni*

M m 4

"folet
V. Hunting. l. vi. f. 209. sect. 10. See also Fleetwood's Chron. Precios. p. 52. 57.

"solet esse oneri, venundaretur *quinque solidis, et etiam plus.*" And six shillings a quarter is the highest price that I find to have been given for wheat, from the times of Edward the Confessor till after the death of Henry the Second. What was the common or middle price of wheat in those days, I find no account in the contemporary authors.

V. M. Paris
H. iii. sub.
ann. 1244.

But, from a passage in Matthew Paris, it appears, that in the year 1244, when the value of money was certainly not lower than it had been in the times of Henry the Second, two shillings a quarter was thought a low price. "Transiit igitur annus ille *frugifer abundanter et fructifer, ita quod summa frumenti ad precium duorum solidorum descendebat.*" *Summa frumenti* is a *seam*, or quarter of wheat. It must be observed, that according to the same author, the preceding year had also been sufficiently fruitful in grains of all kinds, *frugifer satis et fructifer* (V. M. Par. sub anno 1243.) So that before this fall in the price of corn by the produce of the year 1244, it could not have been very high. Admitting, then that the silver, which was contained in two shillings when Matthew Paris wrote, weighed as much as six shillings of our present money, if we suppose that the value of silver was ten times as great, (which is the lowest computation of the three above-mentioned) the price of wheat here set down as an indication of great plenty, was very little short of what we give now in a year of great scarcity; *viz.* eight shillings a bushel. But if we reduce the value of silver in respect to commodities, to only five times the present, the price mentioned by Matthew Paris will then be under four shillings a bushel. And by the same way of computing, six shillings a quarter will be equivalent to what is now an exceeding high price, and may well be called a famine, *viz.* about eleven shillings a bushel. Ne-
verthe-

verthelefs it appears, that in the year 1351, workmen were to take their wages in wheat at the rate of xd. a bufhel, which is 6s. 8d. a quarter. But it muft be obferved, that before that time, viz. in the year 1346, the weight of the penny was brought down to 20 grains Troy. (See Folkes on Englifh coins, p. 11.) The encrease of our trade, and of the fpecie in the kingdom, under Edward the Firft and Edward the Third, may have alfo occafioned a diminution in the value of filver with refpect to commodities. Whereas money or bullion muft have been more fcarce in England under Henry the Third, than it had been from the conqueft till the death of Henry the Second, by the great drains made from thence in the reign of Richard the Firft, to fupport his crusade, and pay his ransom; and by the vaft fums that were annually fent to Rome. Nor was any alteration yet made in the weight of the coin. The common or mean rate for wheat at Windfor market, for fifty years from 1696 to 1746, was 5s. 4d. a bufhel.

See Fleet-
wood's
Chron.
Preciof. p.
129.

About the year 1145, the tenant of a certain place was to pay yearly twenty fhillings, or feven oxen, each worth three fhillings. Thefe oxen muft have been *lean*; for when they were to be *fat*, we find it fo expreffed in other agreements: and I fuppofe they were of a moderate fize. Reckoning therefore three fhillings of the money in thofe days as equal in weight to nine of ours, and multiplying the latter by five, a lean ox, of a moderate fize, was then rated at a price equivalent to forty-five fhillings of our prefent money.

See Fleet-
wood's
Chron.
preciof. p.
129.

In the year 1185, the tenants of Shireborn were to pay either two pence, or four hens, which they would. If therefore we compute the two pence at fix-pence, and multiply that by five, the price of thefe hens was equivalent to feven-pence halfpenny each at this time. And a hen not fatted is com-

monly

monly valued at that rate in the country, or not much above it.

By a treaty made in the year 1173, the earl of Toulouse agreed to pay to king Henry the Second, and to Richard his son, as earl of Poictou, 100 marks of silver per annum, or, in lieu thereof, ten war-horses of *price*, each of which was to be worth at least ten marks of silver. “Et præterea comes “ de sancto Ægidio dabit eis inde per annum 100 “ marcas argenti, vel 10 destrarios de pretio, ita “ quod unusquisque eorum valeat ad minus 10 “ marcas.” (V. Benedict. Abb. sub ann. 1173.) The mark of silver being then two thirds of a pound, and every pound equal in weight to three of our present pounds, according to all the authorities cited above, except Mr. Folkes, if we reckon the value of silver at five times the present, the price of each of these horses will be equivalent to one hundred pounds sterling of our money now; and good war-horses may have been usually sold at that rate. William of Malmesbury says, that William Rufus bought one for fifteen marks of silver, and seems to mention it as a high price. “Deturbatus equo, quem eo die quindecim marcis argenti emerat.” (V. Malmsh. lib. iv. de W. II. f. 68. sect. 20.) Yet in the year 1207, one Amph. Till, a foreign baron, imprisoned here by king John, was to pay, in part of his ransom, ten horses worth thirty marks each, or, in lieu of each horse, thirty marks; an incredible price if we compute the value of money much higher than the rate at which I have put it. Indeed this Amph. Till, must have been a man of great note; for his ransom was fixed at no less than ten thousand marks; but some of his knights, or men at arms, who were prisoners with him, were to be likewise set free on payment thereof. See the Record in Rymer's *Fœdera*, tom. i. p. 446, 447. sub ann. 1207.

Bene-

Benedict, Abbot of Peterborough, relates, that, in the year 1177, the Abbess of Amesbury, being convicted of having three children after she had taken the habit, was degraded and turned out of the Convent; but that the king, *to save her from perishing by hunger and want*, promised to give her *ten marks a year*. "*Et ne prædicta Abbatissa de-gradata fame et inopia periret, rex spondit ei se daturum illi singulis annis decem marcas argenti; et permisit eam abire quo vellet.*" (Benedict, Abbas sub ann. 1177.) Computing therefore the value of this sum as before, her pension was equivalent to one of a hundred pounds sterling in the present times; an income very sufficient to maintain her with decency in a retired way of living, such as was proper for a woman in her situation.

Ralph Flambard, bishop of Durham, having been imprisoned by the orders of Henry the First, in the Tower of London, was allowed by that king for the expence of his table there two shillings a day: *Quotidie ad victum suum duos sterilenssum solidos jussu regis habebat.* V. Orderic. Vital. l. x. p. 786. sub ann. 1101. But there being the weight of three of our present shillings in one Norman shilling, this allowance amounts to six of our shillings a day: and then, if we estimate the value of silver at five times more than the present, this sum will be equivalent to thirty shillings a day, allowed in these times; a very sufficient provision for the table of a state prisoner, even of the highest rank.

The scutage levied in England by Henry the Second for the war of Toulouse, was 180000 l. (as we are informed by Gervase of Canterbury, a contemporary historian :) "*Hoc anno (1159) rex Henricus scutagium de Anglia accepit, cujus summa fuit centum millia, et quater viginti millia librarum argenti.*" If therefore each of these

Gerv. Chro.
sub ann.
1159.

these pounds weighed three of ours, as Sir Robert Atkins and others suppose, this sum will amount to five hundred and forty thousand pounds of our money at present; as much as one can imagine to have been raised by a composition, paid only by those of the military tenants who did not personally attend the king to Toulouse: our present land-tax, at four shillings in the pound upon the whole kingdom, producing under two millions, and the before-mentioned sum being equivalent to two millions seven hundred thousand pounds, if we compute the value of silver at five time more than the present.

I have observed before, that, in the reign of Henry the Third, the value of silver was probably greater, from there being less of it in England than in the times of which I write. Salisbury cathedral in that reign is said to have cost 42000 marks. These Mr. Folkes, in his Table of the standard of our silver money, computes to have contained as much silver as 81368 l. of our present money; which computation is somewhat lower than that I have followed. But admitting it to be right, this sum multiplied, as the other sums above-mentioned, only by five, will make the expence of this building equivalent to 406840 l. laid out in these days.

V. Benedict.
Abb. sub
ann. 1189.

The portion bequeathed to Earl John, by King Henry the Second, was some lands in England, which produced four thousand pounds per annum, and the earldom of Mortagne, with all its appurtenances. Four thousand pounds containing then the same weight of silver as twelve thousand now, the lands in England were worth to him, by the above computation, as much as an estate of sixty thousand pounds a year would be in these days. The earldom of Mortagne must likewise have produced a considerable revenue. For it appears, by one of

V. Epist. S.
Tho. 44. l. i.

Becket's

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Becket's letters, that Henry the Second agreed, by treaty, to pay the earl of Boulogne an annual pension of 1000*l.* sterling, in lieu of his claim to that earldom, and to some lesser fiefs, which had been granted to the house of Boulogne in this island.

Upon the whole, it appears from the several passages above-cited, and from others which I have observed in history or records, that, from the death of Edward the Confessor to that of Henry the Second, the ordinary value of silver, compared with the present, could not be much above or below this computation.

As to the weight of silver in the old money pound, if any of my readers shall think it worth while to reduce the calculations according to the proportion Mr. Folkes has laid down, it may be easily done; and, by putting the value of silver somewhat higher, the amount will, upon the whole, be nearly the same.

See Folkes of English gold coins, p. 1. Idem, of English silver coins, p. 11.

It must be observed, that, before the 18th year of Edward the Third, it does not appear, that ever any gold was coined in England (except perhaps a few pieces in the kingdom of Northumberland, by the Saxons) or any silver, but pennies, half-pence, and farthings; all the other denominations being only imaginary, as a pound sterling is now. We find indeed, that gold and silver *Bisants*

V. Madox Hist. of the Exchequer, p. 189. c. 9. See Pegge's Dissertat.

were sometimes received in payments here; but these were a foreign coin, and brought from the East, where they seem to have been as common as *Sequins* are now. Frequent mention is made of them by all the historians of the Crusades; but they are rarely spoken of by ours. Neither are they named in Domesday-book, nor in the public Acts of Henry the First or Stephen, nor in the last will of king Henry the Second. But some mention is made of them in private deeds and leases, and also in the Exchequer Rolls under

Kennet's Paroch. Antiq. p. 109. Dugdale's Warwickshire, p. 421.

Henry

Henry the Second. The silver Bifant, in the twelfth century, was rated at two shillings English; but the value of the gold one, at that time, is doubtful.

Ibid. His being master of this, and the respect they paid to his father's appointment, so recommended him to the Normans settled in England, that the chief lords very hastily concurred in his coronation, performed by Lanfranc at Westminster, on the twenty-seventh of September, in the year one thousand and eighty seven.

This seems to have been done without much deliberation, and not in a full parliament, there not having been time for such an assembly to meet, after the death of William the First was known in England, and before his son was crowned. But, as we are told that a great council was held by the latter at Christmas, I presume a more general acknowledgment of his right was there obtained, and homage done to him by all the vassals of the crown, who had not done it before.

Ibid. Soon after which, as executor of the will of his father, he gave bountiful alms to every church in the kingdom, and to the poor in each county, &c.

According to Ingulphus, a contemporary author, he distributed to each of the greater churches ten marks, to each of the lesser in towns and cities five marks, to each of the country parish churches five shillings, and to the poor in every county a hundred pounds. "Distribuitque juxta ultimam voluntatem patris sui majoribus ecclesiis totius Angliæ x marcas, minoribus v, singulis vero villanis ecclesiis v solidos. Et transmisit per unumquemque comitatum c libras distribuendas pauperibus pro anima patris sui." (V. Ingulph. p. 106. sub ann. 1087.) This altogether makes a
great

great sum of money. The executing his father's will in so extensive a charity would do great honour to the piety of William Rufus, if there was not cause to suspect that he did it with a political view, to gain the affection of the clergy and people, which, at that time, he stood in great need of. And as he had no title to the crown, but the will of his father, it was the more necessary for him to perform that will in every part.

P. 70. *In this extremity the king had no resource but in the English, &c.*

This is expressly affirmed by most of the historians who lived nearest the times, viz. the author of the Saxon chronicle, Florence of Worcester, William of Malmesbury, Simeon of Durham, Henry of Huntington, and Ordericus Vitalis. The words of the first are these, “*Quum rex intellexisset omnia hæc, et qualem prodicionem exercerent in suos, fuit animo vehementer sollicito. Tunc accersivit Anglos, et iis exposuit suas angustias, rogavitque eos auxilium, pollicitus iis meliores leges quam unquam fuerunt in hac terrâ; omnia item injusta tributa abrogavit, concessitque subditis suas sylvas et venatus; verum hoc haud diu mansit. Angli nihilominus auxilio adfuerunt regi ipsorum domino.*” And afterwards, “*Quum rex intellexisset eam rem, eo contendit cum exercitu quem apud se habuit, et mittens per totam Anglorum terram, iussit unumquemque qui non esset homo nequam, venire ad se, Francos, Angloque, de oppidis ac de villis. Tunc ad eum collectæ sunt magnæ copiæ, &c.*”

Florence of Worcester writes thus: “*Congregato quantum potuit ad præsens Normannorum, sed tamen maxime Anglorum, equestri ac pedestri exercitu, tendere disposuit Rovecestriam.*”

William of Malmesbury says, “*Ille videns Normannos pœne omnes in unâ rabie conspiratos, Anglos,*

“ *Anglos, probos et fortes viros, qui adhuc residui*
 “ *erat, invitatoriis scriptis arcessit, quibus super in-*
 “ *juriis suis querimoniam faciens, bonasque leges,*
 “ *et tributorum levamen, liberaſque venationes*
 “ *pollicens, fidelitati ſuæ obligavit.”* And after-
 “ *wards, “ Anglos suos appellat, jubet ut compatri-*
 “ *otas advocent ad obſidionem venire, niſi ſi qui*
 “ *velint ſub nomine Nibeſung, quod nequam ſonat,*
 “ *remanere. Angli, qui nihil miſerius putant quam*
 “ *hujusce vocabuli a decore aduri, catervatim ad*
 “ *regem confluunt, et invincibilem exercitum faci-*
 “ *unt.”*

THEſE are the words of Simeon of Durham:
 “ Hoc audito rex fecit convocari *Anglos*, et oſten-
 “ dit eis traditionem Normannorum, et rogavit
 “ ut ſibi auxilio eſſent, eo tenore, ut ſi in hac ne-
 “ ceſſitate ſibi fideles exiſterent, meliorem legem
 “ quam vellent eligere eis concederet, et omnem
 “ injuſtum ſcottum interdixit, et conceſſit omni-
 “ bus ſylvas ſuas, et venationem. Sed quicquid
 “ promiſit, parvo tempore tenuit. *Angli* tamen
 “ fideliter eum juvabant.”

Henry of Huntington ſays, “ Rex autem, con-
 “ gregato *Anglorum* populo, reddidit venatus et
 “ nemora, legesque promiſit exoptabiles.”

Ordericus Vitalis expreſſes himſelf thus upon the ſame ſubject: “ Lanfrancum itaque Archiepiſco-
 “ pum, cum ſuffraganeis præſulibus, et comites,
 “ *Angloſque naturales* convocavit, et conatus adver-
 “ ſariorum, ac velle ſuum expugnandi eos indica-
 “ vit.” And afterwards, “ *Anglorum vero trigin-*
 “ *ta milia tum ad ſervitium regis ſponte ſua concur-*
 “ *rerunt, regemque, ut perfidos proditores abſque*
 “ *reſpectu puniret, admonuerunt, dicentes, Viri-*
 “ *liter age, ut regis filius; et legitimè ad regnum*
 “ *aſſumptus, ſecurus in hoc regno dominare om-*
 “ *nibus. Nonne vides quot tecum ſumus, ti-*
 “ *bique gratanter paremus?”* He further adds,

as a part of their harangue to the king, *Solerter Anglorum rimare historias, inveniesque semper fidos principibus suis Angligenas*; and then goes on thus, "Rex igitur Rufus *indigenarum* hortatu promptior surrexit, et, congregato exercitu magno, contra rebelles pugnaturus processit."

From all these testimonies it is clear beyond contradiction, that William Rufus owed his crown to the arms of the English.

Dr. Brady, to get over the force of this evidence, has recourse to the most absurd of all suppositions, viz. that the English here mentioned were not English, but Normans who lived in England; whereas the Normans who took up arms in favour of Robert, were such as had estates in England, but lived in Normandy: or else, (as he says in another place) that those called English were the Normans who came in with the Conqueror. But this is quite overturning all use of words, nor does it bear any appearance or colour of truth: for our historians inform us, that more of the Normans who came in with the Conqueror, and of those who lived in England upon the estates they had in this kingdom, were against William Rufus, than with him, upon this occasion. And how is it possible, that either the one or the other should be called *Angligenas*, et *Anglos naturales et indigenas*? How could William of Malmfbury say, that they were afraid of being called by a Saxon name of reproach? or Ordericus Vitalis make them desire the king to look into history, and see that the English had always been faithful to their kings? To read the passages is answer enough to such wild conceits, into which nothing but passion for the support of a system could have betrayed a man of Dr. Brady's learning and parts. Yet, though it must be acknowledged that these were natural English or Saxons, it is as certain from Domesday

See Brady,
vol. i. p.
233.

book, that, when that survey was made, almost all the *baronies*, and great military fiefs of the crown were possessed by Normans and French.

Ingulph.
edit. Gale,
ad ann.
1066.

Ingulphus, who was contemporary with William the First, writes of him thus, "*Comitatus et baronias, episcopatus et praelatias, totius terræ, suis Normannis rex distribuit, et vix aliquem Anglicum ad honoris statum, vel alicujus dominii principatum ascendere permisit.*" The reason of which is given by Eadmerus, another writer who lived at the same time, "*Ufus atque leges, quas patres sui et ipse in Normanniâ habere solebant, in Angliâ servare volens de hujusmodi personis episcopos, abbates, et alios principes per totam terram instituit, de quibus indignum judicaretur, si per omnia suis legibus, postpositâ omni aliâ consideratione non obediunt, et si ullus eorum pro quavis terreni honoris potentiâ caput contra eum levare auderet, scientibus cunctis unde, qui, ad quid, assumpti fuerint.*"

Henry of Huntingdon says, that, in the twenty-first year of this king, "*Vix aliquis princeps de progenie Anglorum erat in Angliâ;*" and Malmesbury affirms, that, at the time when he wrote, "*Anglia facta est exterorum habitatio, et alienigenarum dominatio. Nullus hodie Anglus vel dux, vel pontifex, vel abbas.*" These English then who assisted William Rufus, must have been for the most part of a lower degree, inferior tenants in chief, or such as held their estates in vassalage to the Normans; but that vassalage was a free service, and no worse than what was due from those Normans themselves, who were military tenants, or even tenants in free socage, to the barons. And therefore, when it is said by Henry of Huntingdon, and by some other old writers, that all the English were reduced *ad servitutem*, they can only mean it in contradistinction to their former

former enjoyment of *allodial* estates, not to imply, that they were made *slaves*. I have shewn in a former note, that the word *servitutum* was used in this sense. It appears indeed, from the words of Florence of Worcester, cited above, that many of the thirty thousand who fought on the side of William Rufus were *foot*. And so were those English who afterwards supported the cause of King Henry the First against duke Robert, as William of Malmfbury informs us: “ Nam licet, *principibus* v. Malmfb. l. v. f. 88. b. lin. 5. “ deficientibus, partes ejus solidæ manebant, quas “ Anselmi archiepiscopi, cum cœpiscopis suis, simul et *omnium Anglorum* tutabatur favor. Quapropter ipse *provincialium* fidei gratus, et salutis providus, plerumque *cuneos* circuiens docebat, quomodo *militum* ferociam eludentes *clypeos ob-* “ *jectarent*, et ictus remitterent: quo effecit, ut “ ultronei votis pugnam deposcerent, in nullo Nor- “ *mannos* metuentes.” The word *militum* here is used instead of *equitum*, to signify *horsemen*. The word *cuneos* shews that they fought in *close bodies*, and their *clypei* must have been strong to resist the lances of the cavalry whom they were to engage. They were not therefore mere archers, but foot completely armed. We likewise find, that William Rufus, in one of his wars against Robert in Normandy, sent over to England for twenty thousand English *infantry*. Henry of Huntingdon says, “ Fecit interim rex *summoneri* 20,000 *peditum Anglicorum*, ut venirent in Normanniam.” The words *fecit summoneri* imply, that these English were obliged, by their tenures, to serve abroad, and therefore held by knight’s service. Simeon of Durham, another contemporary historian uses these words: “ Quod cum regi innotuit, nunciis in Angliam missis, 20,000 *pedonum* in Normanniam “ sibi *jussit in auxilium mitti*.” It must be observed that the English, till long after these times,

were more accustomed to fight on foot than on horseback.

P. 72. *It was principally owing to the authority of Lanfranc supported by Rome, that so strange a tenet was now established both in England and France.*

It seems difficult, at first sight, to account for the zeal of the see of Rome in advancing and propagating a doctrine so full of absurdity, as that of *transubstantiation*. What use, it may be said, could there be in understanding a figurative expression (with which manner of speaking the scripture so much abounds) according to the letter, which makes it nonsense; when that nonsense does not appear to be productive either of power or profit to the church? The supremacy and infallibility of the bishops of Rome; the doctrine of purgatory, masses, and prayers for the dead; the worship of saints and images; the celibacy of the clergy; the merit of monastick vows; the necessity of confession to, and absolution by a priest, for the remission of sins; the power of the pope to grant indulgences, and apply to the benefit of other men the works of supererogation done by saints, and therefore belonging to the treasury of the church; all these opinions have a clear and evident tendency to raise and support the dominion and wealth of the Roman see and the clergy: whereas the multiplied contradictions and impossibilities, contained in the notion of transubstantiation, seem to serve to no purpose, but to expose the Christian faith to the ridicule and contempt of the Jews and Mahometans, or other unbelievers. Nevertheless, the solution of this difficulty may be found in the works of Pope Paschal the Second, cited in another part of this book, viz. "That it was a most execrable thing, that those hands, which had received such eminent power, above what had
" been

“ been granted to the angels themselves, as, by
 “ their ministry to create God the creator of all,
 “ and offer up the same God, before the face of
 “ God the Father, for the redemption and salva-
 “ tion of the whole world, should descend to such
 “ ignominy, as to be put, in sign of subjection,
 “ into the hands of princes, &c.

The same words were also used by Pope Urban the Second at the council of Bari. And certainly nothing could so raise the idea of the priesthood, or produce such veneration for them, in the minds of the people, as their being supposed to possess this *more than angelical power*.

P. 75. *On the other hand, such a destruction had William the Conqueror made of the English nobility, that there remained no chief of that nation who had any authority with his countrymen, &c.*

The last English chief of any note, who appears to have experienced the clemency of William, and to have enjoyed, by his permission, an estate in this kingdom, was Hereward, the son of Leofric, lord of Brunne in Norfolk. This gentleman had in his youth been so very wild and unruly, and had done so much mischief in his neighbourhood, that Edward the Confessor, at the complaint and request of his father-himself, had banished him out of England. While he was abroad, he signalized himself by such exploits of valour, and acquired such renown, though he had not yet received the order of knighthood, that his family and countrymen much desired his return. But during his absence, William the Conqueror, either considering him as a banished man, or because he was not present to pay homage for his lands on the death of his father, gave them to one of the Normans: which he greatly resenting, and being also provoked at some ill usage of his mother in

Vid. In-
 gulph.
 Gale's Edit.
 Rer. Angl.
 Scrip. Veter.
 t. i. p. 67.

her widowed state, came over to England, and, gathering about him a band of his relations and friends, revenged his mother upon those who had injured her, and recovered his estate by force of arms. After which he was knighted by his uncle Brand, abbot of Peterburgh.

In the year 1071, he was invited to take the command of all the English who had fortified themselves in the isle of Ely, where he did such heroic acts, that Ingulphus tells us, *that they were sung in the streets at the time when he wrote.* One of these, which is recorded by Peter de Blois, the continuator of Ingulphus (p. 124, 125) deserves a particular notice here. That author tells us, that Ivo de Taillebois, who had a superstitious belief in the power of witchcraft, persuaded his master, William the Conqueror, to put a certain pretended forceress at the head of his troops in one of the attacks he made on the isle of Ely, assuring him, that the enemy would not be able to resist her incantations and charms. But the vanity of this opinion was soon manifested to all. For the witch being carried at the top of a moveable tower, which rolled upon wheels, over a bridge, which the king's soldiers had laid across the fens, was presently killed; and the soldiers and workmen advancing further, Hereward made a sally upon their flank, and firing the reeds that grew about the fens, burnt or suffocated them, and reduced to ashes the body of the forceress, with the bridge and all the works. When the isle was taken by the king, he alone, of all the nobility there, would not deign to capitulate, or yield himself a prisoner, but forced his way out, with some of his followers, and got off. He afterwards took the Norman abbot of Peterburgh, who had succeeded to his uncle, and many other gentlemen with him, for whose ransom he obtained three thousand marks. William, who always loved and respected any
man

nan of extraordinary courage, granted him a pardon for all these offences, with a full restitution of his paternal inheritance ; and we are told by Ingulphus, that he concluded his life in peace. In that year this pardon was granted I find no good evidence, nor when he died ; but it was probably before the death of William, as no mention is made of him under any of the successors of that king.

75. *The extravagant bounties of William Rufus, who gave his army all he could tear out of the bowels of his people, not only endeared him to the soldiery here, but drew to his service great numbers of the most valiant men from all parts of Europe, who were a continual supply of new force, by which he was enabled to intimidate those of his national troops, who were at any time displeased with his conduct.*

The words of abbot Suger, in his life of Lewis Gros, concerning this prince are very remarkable : “ Ille opulentus, et Anglorum thesaurorum profusus, mirabilis militum mercator et solidator.”

78. *The character of this monarch cannot better be shewn than by one fact, which is related from the mouth of his own son, King David the First, to King Henry the Second, his great grandson, by Ethelred, Abbot of Rivaux.*

There is in Ælian's *Various history* an action L. vi. c. 14. ascribed to Darius Hystaspes, which so nearly resembles this, that I should have supposed the Abbot of Rivaux had taken it from thence, and given the honour of it to Malcolm, king of Scotland, had it not been for this consideration, that Ælian is an author hardly known in that age. Few or none indeed in this island could then understand a Greek book in the original language ; and no trans-

V. Præf.
Jac. Perizonii, Editio
Gronovii.

flation was made of the work in which this passage occurs till the year 1548; nor do I find in the writers of the twelfth century any other trace of its having been read by them among the few classics with which they were acquainted. It may therefore be supposed, that Darius and Malcolm really acted in a like manner: as other instances can be given, where, without imitation, the same magnanimous sentiments in different men have produced the same actions. The words of the abbot of Rivaux are these, in a treatise addressed to Henry Plantagenet, then duke of Normandy:

V. Ethelred.
Abb. Rieval.
de Genealog. Reg.
Ang. p. 367.

“Cujus sane cordis fuit rex iste Malcolmus; unum ejus opus, *quod nobili rege David referent: cognovi*, legentibus declarabit.” And then he relates the story here told, with many particulars that are not to be found in Ælian’s account of Darius Hystaspes, though the general cast and substance of the action is much the same.

P. 100. *But his brother Robert going into it with ardour, and wanting more money, to enable him to bear so great an expence, than his own exhausted exchequer could supply, William agreed to furnish him with ten thousand marks, equivalent to an hundred thousand pounds in these days, by the help of a tax, or benevolence, illegally raised upon his English subjects, &c.*

It seems extraordinary, that the difficulty of raising this sum, should have been so great as is represented by the writers of those times. It must have arisen, partly from the enormity of the king’s former exactions, which had much impoverished the kingdom; and, partly, from the depopulation caused by the wars and cruelty of his father; as it is much harder to raise taxes from a few than from many. This appears to have been raised by way of *benevolence*; for these are the words of Simeon of Durham, and Florence of

Wor-

Worcester, "Post hæc comes Normannorum Robertus, cum Hierusalem proficisci cum aliis animo proponeret, nuntiis in Angliam missis, germanum suum Gulielmum petiit, ut inter se pace redintegratâ illi decies mille marcas argenti præstaret, et ab eo Normanniam in vadimonium acciperet. Qui mox petitioni ejus satisfacere gestiens, *indixit majoribus Angliæ, ut quisque illorum pro posse sibi pecuniam festinanter accommodaret.* Idcirco episcopi, abbates, abbatissæ, aurea et argentea ecclesiæ ornamenta fregerunt; comites, barones, vicecomites, suos milites et villanos spoliaverunt, *et regi non modicam summam auri et argenti detulerunt.*" From these last words I

conjecture, that the sum raised by the benevolence was more than sufficed to answer the demand of Robert. And, as it is certain that the king had then other occasions for money, we may well suppose he did not limit himself to that exact sum, but took all he could get. It appears from the words above-cited, that the nobles discharged themselves in a great measure of the load of this imposition, by laying it on their vassals, who could but ill bear it; and the prelates, by selling the ornaments of their churches, which perhaps they might do, not only to ease themselves, but to throw a greater odium on the king, whom they hated; as if he forced them to a sacrilege. But that prince might the better stand it, because the loan to Duke Robert, which was the principal reason assigned for exacting this benevolence, was to enable him to go to the *Holy war*, in which case the pope allowed the church to be taxed, and even to apply to that service what was given to other pious uses. Yet the outcry in England was great against it, as we may judge by the words of

William of Malmesbury on this occasion, *Capfas sanctorum nudaverunt, crucifixos despoliaverunt, calices constrarunt, non in usum pauperum, sed in fiscum regium:*

v. Malmsh.
de Will. II.
l. iv. f. 70.

*regium : quicquid enim pene sancta servavit avorum
parcitas, illorum grassatorum absumpsit aviditas.*

One may wonder that Robert should mortgage the dutchy of Normandy for ten thousand marks; but he had lost a great part of it before to William Rufus, and had reason to believe, that, while he was in the East, that king would take the rest. He therefore thought it most prudent to give him possession of the whole in consideration of this loan, which he could not easily obtain in any other manner, thinking that he might redeem it, if he came back, and that, if he died in the East, it would be a means of preventing any troubles in the dutchy, which his brother was heir to, at his death, not only by birthright, but by a particular treaty and compact between them. It is however certain, that William Rufus had a good bargain, and availed himself of the impatience and indiscretion of Robert in this affair, as in many others.

P. 104. *By the face of our Lord (replied the king with a smile) thou shalt henceforth be my soldier, &c.*

The words in the original are, *per vultum de Luca*, which, it seems, was the usual oath of this king, and which modern writers have translated, as if he swore by the face of St. Luke the Evangelist. But there is at Lucca in Tuscany an ancient figure of Christ, brought thither miraculously (as they pretend) and which, they say, continues still to work miracles. They call it *il santo volto de Luca*, and are so proud of possessing it, that it is stamp'd on their coin with this legend, *SANCTUS VULTUS DE LUCA*. Eadmerus, relating an answer that William Rufus made to the bishop of Rochester, tells us he used these very words, "Scias, o
"episcopo, quod *per sanctum vultum de Luca*, &c." In another place he relates a speech of that prince, in which he swore *per vultum Dei*. We must there-
fore

fore understand *per vultum de Luca*, to be an oath by the face of Christ, denominated from the representation of it at Lucca, as the Virgin Mary is called *our Lady of Loretto*, from the image of her preserved and worshipped there.

P. 114, 115. *To give that liberty a more solid and lasting establishment, they demanded a charter, which Henry granted soon after his coronation, as he had sworn to do before he was crowned*

Some eminent writers of these times have supposed, that the Normans concurred with the English in demanding of Henry the First the entire restoration of the Saxon constitution : And this opinion is founded upon a passage in Matthew Paris, which requires a particular consideration. The words are these : “ *Quod Henricus fratrum ultimus et juvenis*
 “ *sapientissimus, cum callide cognovisset, convocato*
 “ *Londiniæ clero Angliæ et populo universo, pro-*
 “ *missit emendationem legum, quibus oppressa*
 “ *fuerat Anglia tempore patris sui, et fratris nuper*
 “ *defuncti, ut animos omnium in sui promotionem*
 “ *accenderet et amorem, et ut illum in regem*
 “ *susciperent et patronum. Ad hæc clero res-*
 “ *pondente et magnatibus cunctis, quod, si, animo*
 “ *volente, ipsis vellet concedere et charta sua commu-*
 “ *nire illas libertates, et consuetudines antiquas, quæ*
 “ *floruerunt in regno tempore sancti regis Edwardi,*
 “ *in ipsum consentirent, et in regem unanimiter*
 “ *consecrarent. Henrico autem hoc libenter annuente,*
 “ *et se id facturum cum juramento affirmante, conse-*
 “ *cratus est in regem, &c.* But it would have been very unaccountable, if the Norman barons had asked, or Henry had willingly consented to grant the abolition of feudal tenures ; as these expressions may at first sight appear to import. To overturn the great policy upon which the Norman government stood at that time, was neither expedient for him,

him, nor for them. No such thing is affirmed by any one of the many contemporary historians. William of Malmſbury only ſays, “*Edicto per Angliam miſſo injuſticias a fratre et Ranulpho inſtitutas prohibuit.*” According to Henry of Huntingdon, he promiſed no more than a *deſirable amendment of the laws and cuſtoms*: “*Sacratuſ eſt melioratione legum et conſuetudinum optabili repreſentata.*” Nor is any intimation given by this writer, that more was demanded. The Saxon Chronicle ſays the ſame thing a little more ſtrongly: “*Deo et omni populo promiſit ſe omnia injuſta et iniqua, quæ fratris temporibus obtinuerunt, et iniqua etis ſtabiliturum, quæ in cujuſvis regis regno ſua ſe ipſum vignerunt.*” And all this is conformable to the charter he gave, which beſt expreſſes his intentions, and the deſires of his parliament. We muſt therefore underſtand Matthew Paris in the ſame ſenſe, viz. that nothing further was asked of Henry the Firſt, or promiſed by him, to the nation, after the death of his brother, than a confirmation by charter of the laws of Edward the Confeſſor, *with ſuch alterations as his father had made in them, with the conſent of his parliament, and ſome mitigation, but by no means an abrogation of the Norman feudal tenures.* And thus it is plain that Matthew Paris himſelf underſtood it; for he gives us the charter of that king without any complaint of its being leſs complete than what was deſired, or than what he had promiſed to grant. On the contrary, he mentions it with great ſatisfaction. *Hæc libertates ſubſcriptas, in regno, ad utilitatem ſanctæ eccleſiæ, et pacem populi tuendam, conceſſit.* And Simeon of Durham, whoſe words are tranſcribed by Hoveden, ſpeaks of it in the ſame manner, without any intimation of a larger demand: “*Sanctam eccleſiam, quæ fratris ſui tempore vendita, et ad firmam erat poſita, libe-*”
“ram

“ram fecit, ac omnes malas consuetudines, et
 “injustas exactiones, quibus regnum Angliæ in-
 “justè opprimebatur, abstulit, pacem firmam in
 “toto regno suo posuit, et teneri præcepit, *legem*
 “*regis Edwardi omnibus in commune reddidit cum*
 “*illis emendationibus, quibus pater suus illam emen-*
 “*davit.*” These last words which are transcribed
 from the charter itself, shew what was meant by
 Henry of Huntingdon in the abovementioned ex-
 pression, *melioratione legum et consuetudinum optabili*
repromissa. The word *repromissa* implies, that such
 a promise had been made to them before. And so
 it was by William the First. For he had confirmed
 the laws of Edward the Confessor, with amend-
 ments made by his parliament, *ad utilitatem An-*
glorum, as one of his statutes declares: “Hoc
 “quoque præcipimus, ut omnes habeant et teneant
 “leges Edwardi regis in omnibus rebus, *adauctis*
 “*his quas constituimus ad utilitatem Anglorum.*”
 (V. Wilkins Leges Gul. Conquest. l. lxiii.) But
 the laws, thus amended, not having been well
 observed, either by him, or William Rufus, a
charter was required of Henry the First. And it
 must be observed, that Matthew Paris, though an
 historian of good credit when he relates the tran-
 sactions of his own times, is very inaccurate in those
 of an earlier date; that part of his history, which
 contains the period I treat of, and which is copied
 from Roger de Wendover, being only a careless
 and ill-digested abridgment of the more ancient
 writers.

P. 115. *To use the words of one of our greatest antiquaries, Sir H. Spelman, "It was the original of King John's Magna Charta, containing most of the articles of it, either particularly expressed, or in general, under the confirmation it gives to the laws of Edward the Confessor."*

P. 253.

Matthew Paris tells us, that, in the year 1215, the barons came in arms to King John at London, and demanded of him that certain liberties and laws of King Edward, with other liberties granted to them, and to the kingdom and church of England, should be confirmed, *as they were contained and set down in the charter of King Henry the First, and in the laws above-mentioned.* "Venientesque ad regem ibi supradicti magnates, in lascivo satis apparatu militari, petierunt quosdam libertates et leges regis Edwardi sibi et regno Angliæ et ecclesiæ Anglicanæ concessis, confirmari, prout in charta regis Henrici primi et legibus prædictis ascriptæ continentur." And the same historian, when he mentions the capitula, or rough draught of the great charter, delivered to John by the barons, says, that the articles thereof *were partly written before, in the charter of King Henry the first, and partly taken out of the ancient laws of King Edward.* "Capitula quoque legum et libertatum quæ ibi magnates confirmari quærebant, partim in charta regis Henrici superius scripta sunt, partimque ex legibus regis Edwardi antiquis excerpta." These passages, and what he says before, p. 252 and 253. of the barons having sworn, at St. Edmond's-bury, to make war on the king, till he should confirm to them, by a charter under his seal, the laws and liberties granted in the charter of King Henry the first, sufficiently shew, that they understood and intended this charter to be the original and foundation of that which they demanded
and

and obtained from John. Yet no mention is made thereof, either in the *capitulations* which they delivered to him, or in the great charter itself. To account for this, I think we may reasonably suppose, that finding some articles of Henry's charter, since the last confirmation of it at the beginning of the reign of King Henry the Second, altered by law (as we may well presume from what Granville delivers *as law* about the latter end of that reign;) they thought it more advisable to draw out particular articles, both from that charter and from the laws of Edward the Confessor confirmed therein, with the addition of some new provisions founded upon the same principles and consonant thereto, than to confirm it in general. This may also have been the reason why it was not confirmed at the accession either of Richard or John, as it had been by their father; and why, at the time when the latter was absolved from his excommunication, in the year 1213, he was required to swear, that he would confirm, not this charter, but *the good laws of his ancestors, and especially those of Edward the Confessor*. “In hac autem absolutione juravit rex, “*talibus sacrosanctis evangelis, quod sanctam ecclesiam ejusque ordinata diligeret, defenderet, et* “*manuteneret, contra omnes adversarios suos pro* “*posse suo: quodque bonas leges antecessorum suorum* “*et precipue leges regis Edwardi revocaret, &c.* Indeed we may suppose with good reason, that whatever deviations from the charter of Henry the First are not complained of, or marked out as abuses to be remedied, in the *capitulations of the barons*, or in some of the articles of Magna Charta, granted by King John, had received a legal sanction in some part of the reigns of Henry the Second or Richard the First; and some few of them even in the reign of Henry the First himself, particularly with regard to the terms and incidents of feudal tenures.

tenures But there is a passage in the above-mentioned author, Matthew Paris, relating to the charter of Henry the First, which requires observation. Speaking of a convention or synod held in London under Stephen Langton, archbishop of Canterbury, in the year 1213, he says, "In hoc colloquio (*ut fama refert*) archiepiscopus memoratus, convocatis feortium quibuidam regni proceribus, cœpit affari eos *secretius* in hunc modum. Audistis, inquit, quomodo ipse apud Wintoniam regem absolvi, et ipsum jurare compulerim, quod *leges iniquas destrueret, et leges bonas, videlicet leges Edwardi revocaret*, et in regno faceret ab omnibus observari. *Inventa est quoque nunc charta quædam Henrici primi, regis Angliæ, per quam, si volueritis, libertates diu amissas poteritis ad statum pristinum revocare. Et præterea chartam quandam in medium, ferit eam, et cunctis cunctis, in hunc modum recitari, cujus hæc sunt verba.*" He then gives the charter, and after the recital of it, goes on in these words: "Cum istam hæc charta perlecta, et baronibus audita, et cunctis cunctis, gavisissimi sunt gaudio magno, et cunctis cunctis, traverunt omnes in præsentia archiepiscopi, et cunctis cunctis, quod, viso tempore congruo, cunctis cunctis, si necesse fuerit, decertabunt cunctis cunctis."

Nothing can be more improbable than this account. It imports that the charter of King Henry was read publicly to the barons, and that they expressed a surprize of joy at hearing a copy of it which the archbishop told them was just made. Whereas we learn from the same historian, that after the charter was given, the king ordered many transcripts thereof to be made, as there were counties in England, and to be laid up, as records, in the abbeys of every county. *Factæ sunt quoque chartæ quot sunt comitatus in Angliâ, et rege juvene,*

bente, posite in abbatiiis singulorum comitatum ad monumentum. The first charter of Stephen *confirms the liberties and good laws, which his uncle King Henry gave and granted, and all good laws and good customs, which the nation had enjoyed in the time of Edward the Confessor,* words which evidently refer to the charter. It was also confirmed more expressly by King Henry the Second. How is it possible then that in the reign of his son it should be so difficult to produce a single transcript of it, and that even the remembrance of what it contained should be so totally lost among the principal nobles? The strong objections to so strange a story did not escape the penetration of the learned and judicious Dr. Blackstone. In his accurate edition P. 4, 5, 6, 7, 8, 9. of the charters, he takes notice of the great improbability of it; and further observes, that it is mentioned by no other contemporary historian, but that, on the contrary, all of them assign quite different reasons for the confederacy of the barons. I will add to his remarks, that the credit of this story is still more weakened, by its being only delivered *upon common fame, (ut fama refert)* though it is said to have passed *in secret*. “Convo-
“ *catis seorsum quibusdam regni proceribus cœpit*
“ *affari eos secretius in hunc modum.*” How can one suppose, that the particular words of a speech *made in secret* could be accurately reported by *common fame*? And yet all depends on the expressions, *inventa est quoque nunc charta quædam Henrici primi, regis Angliæ, per quam, si volueritis, libertates diu amissas poteritis ad pristinum statum revocare.* And afterwards, *cum autem hæc charta perlecta et baronibus audientibus intellecta fuisset, gavisi sunt gaudio valde magno.*

That the archbishop should produce to the barons a transcript of the charter, as a proper foundation for their confederacy, and for the demands, or

claim of rights, they were to make to the king, I think very probable. But that there could be any difficulty in finding such a transcript, or that it should be regarded by them as a novelty, appears to me quite incredible.

See Black-
stone's Com-
ments, vol. 1.
p. 1.

How far Matthew Paris, or rather Roger de Wendover (from whom the former has transcribed this part of his history) is from being exact in his account of these affairs, we need no better evidence, than the copy he gives us of the charter of King John, which is essentially different from the originals in the British Museum and at Salisbury, and from the entry in the Red book of the Exchequer. No hypothesis therefore can reasonably be built on this passage in that writer; though some have been induced to infer from it, that the charter of Henry the First became obsolete almost as soon as it was given, and was to totally neglected, as to be in a manner forgotten.

P. 116. *But no laws or privileges can make a people free, if the administration and spirit of government be not in general suitable to them. The conduct of Henry entirely corresponded with his engagements.*

That this was true at the beginning of his reign will not be disputed; that, in some instances afterwards he did not act quite agreeably to an equitable and candid construction of law, or to the spirit of a free government, I make no doubt: yet, as far as his government was good and legal, and that his people enjoyed the benefit of the charter he had granted, and of the laws and privileges there contained, even to the end of his life, the following passages, from contemporary historians, I think will evince. Richard prior of Hexham, in giving

giving his character, says, "Bonas quoque leges
 " et consuetudines regis Edwardi, prædecessoris
 " ac cognati sui restauravit, et prout ei videbatur
 " suâ sapientiâ et auctoritate emendatas et corro-
 " boratas, in regno suo *rigide et constanter tam à*
 " *divitibus quam à pauperibus observari fecit.*" And
 afterwards, "Post quem non surrexit princeps
 " alius qui sic injustas regni exactiones interdiceret,
 " omnes sibi subjectos in pace et modestiâ sapientiæ
 " disposeret, &c." which last words are also found
 in a history written by another prior of the same
 convent. Indeed the wisdom of this king must
 have made him very cautious of violating a charter,
 the grant of which was the condition of his being
 raised to the throne, in preference to his elder
 brother Robert. Even after the captivity of that
 unfortunate prince, his son became soon a formi-
 dable pretender to the crown of England; and
 Henry had reason to fear, that, if he should lose
 the affection of his people, or excite any high de-
 gree of discontent in the nation, it would deprive
 him of his best security against the title of his
 nephew. In these circumstances his charter was
 the bulwark of his government, and it cannot be
 supposed that a prince, whose characteristical qua-
 lity was prudence, would himself destroy that bul-
 wark. Nor is it conceivable, that, if their liberties
 had been materially injured, the nation would have
 been quiet under his government, as we know that
 they were, during above thirty years, and have
 given him continued marks of an unabated affection
 to the very end of his life. This fact, which is
 undeniable, affords a stronger proof of his having
 governed according to law, and agreeably to his
 charter, than even the testimonies of the most im-
 partial contemporary historians. And there is good
 reason to believe, that even in his time some of the
 liberties granted in his charter might be limited by

V. Richard.
 Hagust. hist.
 in Decem
 Scriptorio
 bus.

V. Joh.
 Hag. ibid.
 f. 258.

statutes, which are now lost : so that acts done by him against those liberties, in certain particulars, might not be *illegal*.

P. 116. *He took off all the bur:ens that had been illegally imposed on the subjects, &c.*

V. Malmfb.
de Hen. 1.
l. v. f. 88.
lin. 20.

William of Malmfbury adds, " That he restored, *in his court*, the use of lamps in the night, " which had been intermitted in the time of his " brother." " *Lucernarum usum noctibus in curia restituit, qui fuerat tempore fratris inter-* " *missus.*" And this is the single passage in any historian before Polydore Virgil, which seems to allude to the *curfew* or *couvrefeu*, supposed, by that author, to have been introduced by an ordinance of William the First, and mentioned by some later writers, as a mark of the slavery, in which he held the conquered English. But it is plain from their words, that William of Malmfbury thought it was introduced by William Rufus, and extended to the whole court, that is, to the Norman nobles, as well as to the English, and consequently was no proof of the servitude of the latter. Monsieur Voltaire says, " That the law, far from being " tyrannical, was only an antient *police*, established " in almost all the towns of the North, and which " had been long preserved in the convents." He adds this reason for it, " that the houses were all " built of wood, and the fear of fire was one of " the most important objects of general *p:lice*."

V. Histoire
Univerf. t.
b. p. 240.

From the expression of William of Malmfbury cited above, one should think, that, in England, it had only been practised in the king's court, or was taken off *only there* by Henry the First. And the foregoing words, *effeminatos curia propellers*, which introduce the whole sentence, and have a connexion with it, appear to imply, that some unnatural crimes had been committed in the court,
under

under the cover of the darkness; on which account the use of lamps was *there* restored by that prince. Upon the whole, as Polydore Virgil is too modern a writer to be of any authority, and all the ancient historians are silent about it, I think there is great reason to doubt, whether the law, or regulation he mentions, was made by William the First, or was ever so general as he represents it. The *curfew bell* may have been only rung in the convents, and probably took its name from an old practice there, of putting out their fire and candles at eight o'clock every night. In the *Leges Burgorum* of David the First, king of Scotland, mention is made of it as marking the time when the watch should go out. The law is worth transcribing :

“ De omni domo in qua aliquis habitat, unus
 “ tenetur propter metum periculi vigilare, qui cum
 “ baculo ostiatim circuibit; et erit de ætate virili.
 “ Qui etiam cum duabus armaturis exibat, *quando*
 “ *pulsatur ignitegium* (*coverfeu.*) Et sic vigilabit
 “ cautè et sollicitè usque ad diei auroram.” As
 therefore the practice of it was in Scotland, no less
 than in England, it could be no badge of a conquest,
 nor any evidence of a nation's being enslaved.

V. Leg.
 Burg. per
 Dav. reg.
 Scotiæ, c.
 86.

P. 122 *After much dispute, &c. he was compelled to give up investitures; and the pope submitted to allow him homage from his bishops and abbots.*

I can in no wise agree with Rapin Thoyras, that it was a reasonable thing for King Henry the First to give up to the Pope the *investitures* of the clergy, retaining the *homage*, and that this agreement was of no prejudice at all to the crown. For the *spiritual character* was conferred by *consecration*, not by *investiture*, which only conferred the *temporalities*; and when the crown parted with these, it gave up an authority proper to itself, and no wise of a *spiritual nature*. There was much more reason in

V. Rapin
 Hist. d'An-
 gleterre, t.
 ii. p. 174.

NOTE - THE HISTORY OF

10. The above information was obtained from the records of the [redacted] and is being furnished to you for your information. The [redacted] is not responsible for the accuracy or completeness of the information furnished herein.

“ and *incredible* to you, because frequent use has
 “ made your *misery* so familiar to you, *that you*
 “ *think it no sin, if a priest or deacon, or clerk, lives*
 “ *with a wife like a layman : you also say, that the*
 “ *apostle Peter had a wife and children.*” The
 English clergy retained these sentiments, together
 with their wives, till after the conquest. In the
 year 1076, the council of Winchester assembled
 under Lanfranc, decreed, “ that no canon should
 “ have a wife ; that such priests as live in castles
 “ or villages be not forced to put away their wives,
 “ if they have them ; but such as have not, are
 “ forbidden to have any. And for the future, let
 “ bishops take care to ordain no man priest or
 “ deacon, unless he first profess that he hath no
 “ wife.” This was a great advance towards im-
 posing for the future an obligation of celibacy on
 all the clergy. But Anselm went further. In the
 year 1102, he held a council at Westminster, by
 which it was decreed, “ that no archdeacon, priest,
 “ deacon, or canon, marry a wife, or *retain her,*
 “ *if he be married.* That every *subdeacon* be under
 “ the same law, though he be not a canon, if he
 “ hath married a wife after he had made profession
 “ of chastity.” And William of Malmshury tells
 us, that Anselm desired of the king, that the chief
 men of the kingdom might be present in this coun-
 cil, to the end that the decrees of it might be en-
 forced by the joint consent and care of both the
 clergy and laity ; to which Henry assented. His
 words are these, “ Anno dominicæ incarnationis
 “ millesimo centesimo secundo, quarto autem præ-
 “ sulatus Paschalis, summi pontificis, tertio regni
 “ regis gloriosi Henrici Anglorum, *ipso annuente,*
 “ communi consensu episcoporum, et abbatum,
 “ *et principum totius regni,* adunatum est concilium
 “ in ecclesiâ beati Petri in occidentali parte juxta
 “ Londonium sitâ, in quod præsedit Anselmus
 “ Dorobernensis, &c. *Huic conventui interfuerunt,*
V. Concil.
Brit. v. ii.
p. 11. art. 1
V. Spelm.
Concil. v. ii.
p. 23. art. 4
V. Malmsh.
de Gest.
Pont. An-
glor.
Anselmo.

*“ Anselmo archiepiscopo petente a rege, primates
 “ regni, quatenus quicquid ejusdem concilii auctoritate
 “ decerneretur utriusque ordinis concordie cura et sol-
 “ licitudine ratum servaretur.”* Thus the king and

V. Concil.
 Brit. v. ii.
 p. 24.

Edm. p.
 77. n. 4c.

Spelm. Concil.
 v. ii.
 p. 29.

the whole realm gave their sanction to these canons! yet it appears that all the clergy of the province of York remonstrated against them; and as those who were married refused to part with their wives, so the unmarried refused to make profession, that they would continue in a state of celibacy; nor were the clergy of the province of Canterbury much more obedient. Anselm therefore, in the year 1108, held a new council at London, in the presence of the king and his barons, purely on this affair. By this assembly still severer canons were made to enforce the celibacy of the clergy. Those who had kept or taken women since the former prohibition, and had said mass, were enjoined to dismiss them so entirely, as not to be knowingly with them in any house. If any ecclesiastick was accused by two or three lawful witnesses, or by the publick report of the parishioners, of having transgressed this statute, he was, if a priest, to purge himself by six witnesses; if a deacon, by four; if a subdeacon, by two: otherwise to be deemed a transgressor. Such priests, archdeacons, or canons, as refused to part with their women, were to be deprived of their offices and benefices, and put out of the choir, being first pronounced infamous. It is even ordained by the last canon, “ that the bishops
 “ shall take away all the moveable goods of such
 “ priests, deacons, subdeacons, and canons, as
 “ shall offend therein for the future, and also their
 “ *adulterous concubines* (meaning their wives) with
 “ their goods” But all these rigorous constitutions had so little effect, that, after Anselm’s death, in the year 1125, the cardinal legate, John de Crema, being suffered to preside in a council held at Westminster, thought it necessary to enforce them by
 the

the papal authority. It is remarkable that this cardinal, speaking to that assembly concerning the wives of the clergy, used this expression, *that it was the highest degree of wickedness to rise from the side of a barlot, to make the body of Christ*. And we are assured by the person who relates these words, namely Henry archdeacon of Huntington, a contemporary writer, that this very man, *after having that day made the body of Christ, was caught at night with a real barlot*. He adds, that a fact so public and notorious could not be denied, and ought not to be concealed; (*Res apertissima negari non potuit, celari non decuit*) and that the shame of this adventure drove the legate out of England. I see no grounds to deny the truth of this evidence, which is supported and confirmed by Hoveden and Brompton, writers of the same century, from any of the objections brought against it by Baronius, and some later writers. But supposing the story false; it is unquestionably true, that the canons passed by this council had a natural tendency to produce such disorders, and even worse, in the clergy; a sense of which still prevented a general obedience being paid to them: and therefore we find, that, in the year 1129, William Corboyl archbishop of Canterbury, and then legate of the pope, obtained the king's leave to hold at London another council, to which all the clergy of England were summoned, and by the authority of which all those who had wives were required to put them away before the next feast of St. Andrew under pain of deprivation. But experience having shewn, that such decrees were ineffectual to force the observance of a restraint so repugnant to the law of nature and the liberty of the gospel, the primate and council thought proper to grant the king a power of executing their canons, and doing justice on those who should offend against them; which Henry of Huntington

V. H. Hunt.
Hist. l. vii.
f. 219.

Chron.
Saxon. sub
ann. 1129.
Hunting.
l. vii. f. 220.

says

V. Chron.
Sax. fab
ann. 1129.
p. 234.

V. Radmer.
l. iv. p. 91.

says had a most shameful conclusion: for the king received from the married clergymen a vast sum of money, and let them redeem themselves from the obedience exacted by the council: which account is also confirmed by Hoveden and Brompton. The Saxon chronicle says, that the constitutions of this synod had no effect; for all the clergy retained their wives with the permission of the king, as they had done before: but no notice is taken there of their having bought this permission. It is worthy of observation, that, whereas by one of the canons of the council held at Westminster, under archbishop Anselm, in the year 1102, it had been decreed, *that the sons of priests should not be heirs to the churches of their fathers*, Pope Paschal ordered that such of them as were persons of good characters should be continued in their benefices, and in a letter to Anselm gave this reason for the favour he shewed them, viz. *that the greatest and best part of the clergy in England were the sons of the clergy*.

But in Stephen's reign, the power of the papacy acquiring more strength, the celibacy of the clergy was generally established in England.

P. 125. *and not only gave his greedy courtiers and parasites all they asked, but allowed them to take, both from himself and his people, whatsoever they pleased.*

D. H. I. L.
v. f. 86.
col. 40.

Some authors say he suffered his domesticks to steal his very cloaths. William of Malmesbury tells us, that he answered all suitors to him according to their wishes, for fear of sending them away dissatisfied; even promising what it was not in his power to give. And he observes that this facility, instead of procuring him the love of the Normans, excited their contempt. When complaints were made to him, by the commons, of the oppressions they suffered from the nobles, he shewed great anger at first;

first; but the smallest present appeased him, or a little time wore out all memory of the offence in his mind. The same historian concludes his character, by saying, he was eloquent in his own tongue, agreeable in conversation, and able to give excellent counsel to others; inferior to none in the art of war, but, for want of strength and firmness of mind, always esteemed unfit to govern a state.

Ibid. and P. 126. *Following therefore the dictates of his ambition, and colouring them with zeal for the good of the Normans, especially of the church, he fought a battle at Tinchebraye; in which he defeated the duke, took him prisoner, &c.*

Before this battle Henry had taken Bayeux by storm, and Caen by the voluntary submission of the citizens. There is some confusion and inconsistency in the description given of the battle by contemporary writers. The clearest account I am able to draw from them is this; Robert was superior in numbers to Henry, but inferior in cavalry and men at arms; most of his army being light-armed infantry. His van was commanded by William earl of Morteuil, his centre by himself, and his rear by Robert de Belesme. The king seems to have formed his army into four bodies, of which only one, commanded by Helie earl of la Flesche, and composed of the troops of Bretagne and Maine, was cavalry; the rest of his men at arms, particularly the English and Normans, whom he commanded in person, being ordered to dismount and fight on foot. His van was led by Ranulf of Bayeux; his centre by himself and Robert earl of Meulant; his rear by William of Warren. The cavalry under the conduct of the earl of la Flesche was posted at a proper distance from the other divisions, to support or strengthen any of them as there should be occasion. Robert is said to have ordered all his cavalry to dismount. The action was begun by his van attack-

V. Ord. Vit.
l. ii. p. 818.
sub ann.
1106.

V. Ord. Vit.
ut sup. 820,
821.
Hunting. l.
viii. 217.

attacking that of the enemy; and, while they were engaged, he himself, with the men at arms in his centre, who had served under him in the Holy war, charged the king with such fury, that they made his division give ground; as did likewise the van of the English army, about the same time: but the Earl of la Flesche observing this, instantly fell, with his cavalry, upon the flank of the duke's division; and Robert de Belesme, who commanded that prince's rear, not coming up to support him, but flying out of the field, his troops were quickly broken, and he himself taken prisoner; as was also the earl of Morteuil; the battle having been entirely won by the charge, made with so much valour, and in so critical a moment, by the earl of la Flesche. It seems a great fault in the duke to have left himself no cavalry to oppose that body under the earl.

P. 320.

We are told by Ordericus Vitalis, that, just before the battle, Henry offered his brother one half of Normandy, and an equivalent for the other half, to be paid to him annually out of his English treasury, but on condition that he himself should retain all the fortresses, and the sole right of judicature, with a guardianship over the whole: which the duke, by the advice of his council, refused with indignation.

P. 126. *Henry made his imprisonment as easy to him as possible, furnishing him with an elegant table, and buffoons to divert him; pleasures which, for some years, he had preferred to all the duties of sovereign power.*

V. Malmsh.
Henr. I. l.
iv. f. 87.

The words of William of Malmshury are these: *Captus et ad diem mortis in libera tenus custodia, laudabili fratris pietate, quod nihil præter solitudinem passus sit man, si solitudo dici potest, ubi et custodum diligentia, et jocorum præterea et obsoniorum non deerat frequentia.*

This

This absolutely contradicts the story told by Matthew Paris, of Robert's eyes having been put out by the command of his brother, while he was in confinement. Nor is it mentioned by any of the contemporary authors.

Henry of Huntington, in one of his works, which is written with great freedom, and wherein he seems disposed to say all the ill he can of King Henry, and to set forth the sufferings of his brother in the strongest lights, does not mention this circumstance, but only his confinement. Treating of the kings in those times, he says: "Nemo in regno eorum par eis miseriis, par sceleribus. Unde dicitur, Regia res scelus est. Rex Henricus fratrem suum et dominum Robertum in *carcerem perennem posuit, et usque dum moriresur d tenuit.*" And immediately afterwards he mentions Henry's cruelty, in causing the eyes of his grand-daughters to be put out, without telling the reason of it, as he ought to have done: *Neptium suarum oculos erui fecit.* We may therefore conclude, that, if the same cruelty had been practised against Duke Robert, he would have taken notice of it at the same time. But if it be objected, that this book was written before the death of King Henry, and that this barbarity might be concealed while he was alive; I answer, that none of those who wrote under Stephen, or Henry the Second, say any thing of it. Brompton's Chronicle, which is carried down to the death of Richard the first, in drawing the character of Henry the first, says, *he was charged with cruelty*, and gives these instances of it: "Secundo, Robertum fratrem suum in carcere mori permisit, et confulem de Moretoyl, cognatum suum, in captione possum crudeliter exoculari; nec sciri tam horrendum facinus potuit, quousque regis aperuit mors secreta: Et alia facit etiam facinora quæ taceamus." Now, if the king's death, which (as we are told by this author) discovered the secret of his having

V. H. Hunting. Epist. ad Walter. de mundi contemptu, in Anglia sacra, t. ii. p. 699.

having put out the eyes of his prisoner, the earl of Morteuil, had also discovered, that his brother had been treated by him in the same manner, it would naturally have been taken notice of in this place, where mention is made of Robert's dying in prison.

P. 157. *Many of the principal nobles of France were made prisoners; and Louis himself, with great difficulty, escaped the same fate, &c.*

See Ord.
Vital. p.
854, 855.
lib. xii.

Ordericus Vitalis, in his account of this action, differs from other historians who wrote in that age. From what he says one should believe, that Louis le Gros was not in the battle, but saw it at a distance, and fled even before his main body was broken. This does not agree with the character of that king, who was remarkably brave; and, as this author himself tells us, that he was *unhorsed*, it is probable he was in the action, and did not turn his back till his whole army was routed, upon the English infantry coming up. Thus the affair is related by the English historians, and their narrative is confirmed by the short account which Abbot Suger has given of this battle, in his life of Louis le Gros, which being of the greatest authority, I have adhered to it as far as it goes.

P. 158. *The greatest difficulty of the treaty consisted in this, that Henry had disputed the nature of the homage which the dukes of Normandy owed to the French crown, and had very publicly declared, that he never would pay it in the manner required, though both his father and William Rufus had submitted to it without any apparent reluctance.*

It is not very clear upon what this dispute was founded. Some writers have supposed that Henry's refusal arose from no other cause, than an apprehension that he should debase the dignity of his person, as king of England, by doing homage as duke of Normandy. But his father and brother
were

were kings of England, as well as he, and had not the same scruple. Lord Hale observes, in his History of the Pleas of the crown, p. 74. "that the king of England had a double capacity, one as an absolute prince that owed no subjection to the crown of France, nor to any other king or state in the world; and in this capacity he neither did nor could do homage to the king of France. He had another capacity, as duke of Aquitaine; and in that he owed a *feudal*, but not *personal* subjection to the king of France: and in this latter capacity only, and as a different person from himself as king of England, he did the homage." This distinction made by his lordship is applicable to our kings, as dukes of Normandy, no less than as dukes of Aquitaine: but he adds, "that the homage they did in the latter capacity was not *lige* homage, but a bare *feudal* homage; which I the rather mention (says he) to rectify the mistakes of those that call it a *lige* homage." If I may presume to differ from so great an authority, it was both *lige* homage and *feudal* homage. It was *lige* homage, because it was done to the king of France as supreme lord of that realm, without any reserve or exception; and it was *feudal* homage, because it was done on account of a fief. But it was not done by the kings of England as kings; for as such they certainly owed no allegiance to France; but as dukes of Normandy, or of Aquitaine, or earls of Anjou, &c. And the same distinction now holds between the king of England as such, and as elector of Hanover. As king of England he cannot be a vassal of the emperor, but as a prince of the empire he is; and there are other examples of crowned heads that are feudatories, and do homage to foreign princes, with respect to their fiefs, without any prejudice to their sovereignty, or to the dignity of their crowns. Nevertheless, it is possible that King Henry the first might

P 83. D.
84. H.
See also Ge-
miticen. c.
17.

might deny his homage to be *lige*, on the same grounds as Lord Hale proceeds in the passage above-cited. But I think he had a further reason. For we are told by Dudo dean of St Quintin, and William de Iumieges, that Rollo the first duke of Normandy, when he did homage for that dutchy to Charles the Simple, was with difficulty brought to put his hands between those of the king, and absolutely refused to kneel to him, or kiss his feet, which last it seems was then part of the ceremony of homage. This might, perhaps, be the foundation of Henry's refusal to do his homage to the king of France in the usual form, as well as a delicacy with regard to his royal dignity; and he might make his son perform the ceremony, instead of himself, when he found that his plea from that precedent would not be admitted; both to secure more effectually the independence of his crown from any of these constructions, and to save his honour from suffering by a breach of the declarations he had publicly made.

P. 159. *The prince got into the longboat, and might easily have been saved, as the weather was calm; but moved with the sad cries of the countess of Perche, his natural sister, imploring him to take her into the boat, he commanded it to be rowed back again to the ship; when so many leaped into it that it immediately sunk.*

In this account I have followed William of Malmesbury, who, being admitted to an intimacy with Robert earl of Gloucester, was probably better informed of the circumstances that attended the death of the brother of that earl, than other historians. But Ordericus Vitalis and Simeon of Durham take no notice of this particular, and speak as if the ship had instantly sunk after running on the rock. Ordericus adds some circumstances, which it may not be improper to mention here. He says
that

that a Norman, named Fitz-Stephen, came to the king, and claimed a right of carrying him over in his vessel, called *The white ship* ; because his father had carried over William the Conqueror, when he went against Harold. That the king said, he had taken another ship for himself, but allowed him to carry the prince, his son. That this man, by whose carelessness the shipwreck happened, rose out of the water after he had sunk, and recovering his senses asked the two persons, who, by climbing up the mast, had kept their heads above water, what was become of the prince. Being told that he was lost and all who were with him, he said, "*It would be misery for me to live,*" and abandoning all care of himself was drowned.—There is some improbability in his holding this conversation, if he could not swim ; and, if he could, how happened it that he sunk at first ? A contemporary author says, that in this shipwreck there perished eighteen ladies allied by blood or marriage to princes and kings. He likewise adds, that the king's treasure, by which, I suppose, he chiefly means his plate and royal jewels, and all that was in the ship, except the men and women, were got out of the wreck ; but, though many divers were employed to search for the bodies, a few only were found, being driven ashore by the waves, after several days, and far from the place where the ship had struck. Among these was the earl of Chester, who was known by his cloaths. Mr. Carte says, that the rock is called *La Catteraz*.

P. 160. *The prince had been always dutiful ; and, if we may judge of his nature from the act of humanity which cost him his life, or from what is said of him by William of Malmſbury and Ordericus Vitalis, it was amiable and hopeful in all respects.*

Brompton, in his Chronicle, and Knighton after him, report of this prince, that he was so brutal and indiscreet, as to say, that, *if ever he reigned over the English, he would make them draw the plow like oxen.* Brompton quotes for it William of Malmſbury ; but no such passage is to be found in his works ; and it is very improbable, that he, who was born of an English princess, and bred up by a father, who, in words at least, always caressed them, should declare such an injurious contempt of that nation. No contemporary author says any thing of it ; and, upon the whole, it deserves no credit. H. of Huntington, and some others after him, accuse the same Prince, from common report, of having been guilty of an unnatural vice ; but neither is this very credible, considering that, when he died, he was but seventeen years old, and had been educated (as Malmſbury affirms) with great care. Perhaps Henry of Huntington's words should be understood, rather of the young nobility who were with him, than of himself.

See Malmſ.
f. 93. de
H. I. See
Hunting. l.
vii. f. 218.
c. 10.

NOTES

ON THE

HISTORY

Of the LIFE of

King Henry the II.

BOOK I.

P. 185. *SHE* reigned but a year, and Matthew of Westminster says, she was expelled with disdain by the nobles, who would not fight under a woman.

The words in the original are: "Anno Gratiae 672. rex occidentalium Saxonum Kiniwalcus, cum regnasset xxxi annis, defunctus est, et regnavit pro eo, uxor ejus Sexburga anno uno. Sed indignantibus regni magnatibus, expulsa est a regno, nolentibus sub sexu fæmineo militare." The last words declare the reason why the nobles disdained to submit to her government, viz. because they would not fight, or make war, under a woman. And that

V. Chron.
Saxon. p. 41.

that Matthew of Westminster was not the inventor of this story, but took it out of some Saxon chronicle, can hardly be doubted. That published by Dr. Gibson (which is the only one we have) is more short on this subject. "*Hoc anno decessit Cenwallus rex, et Sexburga ejus uxor uno anno regnum tenuit post eum.*" These words do not inform us how it happened that Sexburga reigned only one year; yet they rather corroborate, than contradict Matthew of Westminster's account, as they make no mention of her decease, or voluntary abdication. But William of Malmesbury contradicts it. His words are these: "*Kenwalchius post xxxi annos moriens, regni arbitrium uxori Sexburgæ delegandum putavit; dec de erat mulieri spiritus ad obeunda regni munia: ipsa novos exercitus moliri, veteres tenere in officio; ipsa subiectos clementer moderari, hostibus minaciter infumere; prorsus omnia facere, ut nihil præter sexum discerneres: veruntamen plusquam animos foemineos anhelantem vita destituit vix annua potestate perfunctam.*" From this account one would conclude, that she lost her sovereignty only by a natural death. But this author may have avoided to publish a fact, which was so unfavourable to the cause of the empress Matilda, in a book which he dedicated to her brother, the earl of Gloucester. Whereas Matthew of Westminster, who published his history long after her death, when there was no question about a female succession, had no reasons to disguise the truth of this matter. I therefore have followed him, as a better authority than William of Malmesbury, with regard to this point; especially as his account appears more conformable to the character of the Saxons and spirit of the times. Sexburga probably was (as William of Malmesbury has described her) of a masculine character; on which account the king her husband might think her not unqualified

Malmsh. l. i.
f. 6.

fied to succeed to his crown, and might give her his nomination : but yet the nobles might disdain to submit to her government, and expel her from the throne. Be this fact as it may, the precedent of a woman governing only one year, in one kingdom of the heptarchy, was not enough to establish a right of female succession in the whole realm of England. Not long after her decease, Brithick, king of Wessex, having been poisoned by his wife, the West-Saxons made a law, to prohibit the wives of all their future kings from taking the title of queen, or sitting on thrones with their husbands. It was further enacted, that, if any king of Wessex should dispense with this law, he should be, *ipso facto*, deprived of his right to the crown. But, after the dissolution of the heptarchy, this vindictive and singular ordinance was not observed, being thought by the nation, as well as by their princes, to favour of barbarism, and to have proceeded from anger, not reason. Yet the temper of a people, among whom such a law had any time been in force, cannot be supposed to have been easily reconcileable to the sovereignty of a woman. In the reign of Edward the Elder, his sister Elfleda governed the Mercians after the death of her husband, and is called their *queen* by some writers. But that title did not belong to her with any propriety : for Mercia was not then a separate kingdom, but a province of the crown of England ; and Ethelred, husband to Elfleda, was styled *subregulus* Merciorum, which Selden affirms to be the same with *Ealdorman*, the Saxon word for an *Earl*. Certain it is that Elfleda held Mercia as a gift from King Alfred, not by right of succession, nor by election. And therefore no argument can be drawn from this instance to prove, that, before the settlement made on the empress Matilda, the custom of England admitted women

to succeed to the crown. We can only discover from it, that the idea of an incapacity in women to govern was then wearing off; and that it was thought they might be trusted with the government of a province, which prepared the way for their advancement to sovereign power in later times.

P. 185. *Nor had the Normans any example of the sovereignty among them being vested in a woman, from the foundation of their dukedom in France, or in the kingdoms of Denmark and Norway, from whence they came, &c.*

This is undeniably true, as far back as we have any authentic account of those kingdoms. Indeed, in the fabulous parts of their history, mention is made of one Heta, a *heroine*, who, about the year of our Lord 326, commanded an army of *Amazons*, and, by her prowess, was raised to the throne of Denmark; but even she is said to have been *deposed* by her subjects on account of her sex, and because she refused to marry, and give them a king; which, though the whole story be a fiction, sufficiently shews the opinion of the writer upon the national custom and temper of the people.

P. 187. *In order to get over this difficulty, Stephen prevailed upon Hugh Bigot, earl of Norfolk, to swear before the archbishop of Canterbury, that Henry had, in his presence, released his subjects from those oaths.*

See Gervase,
sub ann.
1135. p.
1340.
Huntington.
f. 224. l.
viii. Hoveden,
f. 277.
par. l.
Diceto Abb.
Chron. p.
50.

I have taken the account I give of this oath from Gervase of Canterbury, who does not mention the name of the nobleman: but that is supplied by Henry of Huntington, Hoveden and Diceto. Those authors indeed go further, and tell us, that Hugh Bigot swore, Henry had *disinherited his daughter, and bequeathed his kingdom to Stephen*. But we have an undoubted assurance, that Stephen himself did

not

not pretend to any such bequest : for he makes no mention of it, in the preamble to his charter, among the titles he had to the crown ; which are there set forth in full form, viz. his election by the clergy and people, his consecration by the archbishop of Canterbury, and the confirmation of his right by the pope. He most certainly would have added his *nomination by Henry*, if there had been a colour for it. I think it therefore much more probable, that Hugh Bigot's oath was only such as Gervase relates. And this is confirmed by the anonymous contemporary author of the history of that prince, entitled, *Gesta Stephani regis*. Partial as that writer was to him, he would not say more to help out his title, than what is mentioned by Gervase. His words are these, speaking of Henry : “ Utque patenter agnosceremus, quod ei
 “ in vitâ, certâ de causâ, complacuit, post mor-
 “ tem ut fixum foret displicuisse, supremo eum a-
 “ gitante mortis periculo, cum et plurimi astâ-
 “ rent, et veram suorum erratum confessionem
 “ audirent, de jurejurando violenter baronibus
 “ suis injuncto apertissimè pœnituit.” We may then take it for granted, that the testimony given by Hugh Bigot extended no further ; and even this did not, I think, deserve any credit. For there is no evidence in all our history of the least *violence* used in that affair by King Henry : and the contrary testimony of William of Malmesbury, that he did, on his death-bed, *confirm* the succession of his daughter and grandson to all his dominions, is of great weight. Probability too is entirely on that side. It cannot be conceived, that so prudent a prince should have so weakly defeated a settlement, he had taken such pains to secure.

Whatever quarrel he had with his son-in-law, he had none with his daughter, nor with prince Henry, her son. Gemiticensis indeed says, that Ma-

See Gest.
Steph. Reg.
p. 929.

See Gemitic
c. 24.

tilda was a little out of humour, and displeased with her father, *aliquantulum commota*, because he would not, at her request, pardon one of his barons, whom he suspected of plotting against him, in confederacy with her husband; and that, on this account, she left Normandy, and went into Anjou, just before his last illness. But this (admitting the truth of it) could not have incensed him so much, as to make him disinheret both her and his grandson.

P. 192. *This be not only ratified by an extraordinary oath, which he took at his coronation, and by a general charter, confirming that of King Henry the First and the laws of Edward the Confessor, but, some time afterwards, by another, given at Oxford, in which all the particulars of his oath were set down.*

Henry of Huntington, whose words are copied by Hoveden, writes thus: "Inde porrexit rex Stephanus apud Oxinforde, ubi recordatus est et confirmavit pacta, quæ Deo et populo et sanctæ ecclesiæ concesserat in die coronationis suæ, quæ sunt hæc: Primo, vovit, quod, defunctis episcopis, nunquam retineret ecclesias in manu suâ, sed statim electioni canonicæ consentiens episcopis eas investiret. Secundo vovit, quod nullius clerici vel laici sylvas in manu suâ retineret, sicut rex Henricus fecerat, qui singulis annis implacitaverat eos, si vel venationem cepissent in sylvis propriis, vel si eas ad necessitates suas extirparent vel diminuerent. Tertio vovit, quod Danegeldum (id est) duos solidos ad hidam, quos antecessores sui accipere solebant singulis annis, in æternum condonaret." The first two articles here set down, are not as they stand in the charter of Stephen, but are only a comment upon them, and not very accurate, as will appear by comparing them with the words of the charter. And there is not, in
the

the charter, the least mention made of the third article relating to Danegeld. Nor had that tax been fixed by Stephen's ancestors, as the historian supposes, at two shillings for a hide of land, or paid every year, but differently assessed, and occasionally levied, upon some alarm of an enemy's invading the kingdom. (See Madox's Hist. of the Exchequer).

The clause in Stephen's charter, relating to forests, requires some observation : " Forestas, quas " Willielmus rex, avus meus, et Willielmus secundus, avunculus meus, instituerunt et tenuerunt, mihi reservo. Cæteras omnes, quas Henricus rex superaddidit, ecclesiis et regno quietas reddo et concedo." By this it appears, that Henry the First had made some additions to the forests of the crown. And there is a clause to the same effect in the charta de forestis, obtained from King John. " Imprimis, omnes forestæ, quas rex " Henricus, *avus noster*, (N. B. *avus* here means great-grandfather) " afforestavit, videantur per " probos et legales homines ; et si boscum aliquem " alium quam suum dominicum afforestaverit ad " damnum illius, cujus boscus fuerit, statim deafforestetur."

From the words of this clause we find, that king Henry the First had enlarged his forests two ways, by taking into them some woods of his own royal demesne, and by *afforesting* some of those of the gentry or clergy that bordered upon them. The first he might lawfully do, but the other was iniquitous, and contrary to the charter he had given himself. Yet it is probable, that he did not intend to encroach on his subjects, but was deceived by false accounts of the bounds of his forests, from the officers appointed over them ; in consequence of which he often prosecuted the owners of woods supposed to lie within the precincts of them, if they presumed either to hunt in them, or cut them

them down. And in this sense I understand Henry of Huntingdon's words; *Sicut rex Henricus fecerat, qui singulis annis implacitaverat eas, si vel venationem cepissent in sylvis propriis, vel si eas ad necessitates suas extirparent, vel diminuerint.* It cannot be supposed that he claimed all the woods in the kingdom, or the sole right of hunting, as Ordericus Vitalis pretends. (See Ord. Vital. l. xi. p. 823.) Had he done so, it would have been certainly demanded of Stephen, and afterwards of king John, not only to restore by their charters the woods, belonging to their subjects, which had been injuriously added by him to his forests; but also to renounce the pretension he had set up to all the woods and game in the kingdom.

As for those who had really woods *within* the king's forests, it is declared by the third article of the Charta de forestis, that they were not to grub up, diminish, or waste them, without licence from him; though by the same article an amnesty is granted for all faults of that kind, from the first year of Henry I. to the second of king John. I therefore suppose, that the words of Henry of Huntingdon, mentioned above, are not to be understood as relating to these, but only to the borderers; though they might seem to belong to both.

P. 203. *which grant Stephen now confirmed, and added to it Carlisle, &c.*

° As Carlisle was a royal city and the chief town of Cumberland, it may be thought that the grant of it included the county; but of this I find no clear proof. This province had been long inhabited by a remnant of the Britons, who, like the Welch, their countrymen, called themselves Cumri, or Kumbri, and maintained themselves there against the Scots, the Picts, and the Saxons. Yet it seems that they were subdued by the latter under Egbert: but they afterwards recovered their liberty,

See Camd.
Cumberland V.
Chron. Sax.
p. 72. sub
anno. 828.

ty, and were governed by princes of their own, to whom they gave the title of Kings, till the year 945, when Edmond, the brother of Athelstan, wasted their land, and granted it to Malcolm king of Scotland, *ea conditione* (says the Saxon Chronicle) *ut sibi esset commilito tum mari, tum terrâ.* Matthew of Westminster says, "Cumbriam totam cunctis opibus spoliavit, ac duobus filiis Dummaili, ejusdem provinciæ regis, oculorum luce privatis, *regnum illud Malcolmo, Scotorum regi, de se tenendum concessit, ut aquilonares Angliæ partes, terrâ marique, ab hostium adventantium incurfione lueretur.*" "Whereupon (says Mr. Camden) the eldest sons of the kings of Scotland were for awhile, under the English Saxons, and Danes both, called the Præfects, or Deputy-rulers, of Cumberland." But, for some time before the conquest, it seems to have been under no regular government either of the English or Scotch. William the Conqueror gave it to Ranulph de Meschines; and Dugdale mentions a record, which styles him Earl of Cumberland. He began to rebuild Carlisle, which the Danes had destroyed, and is called, by Matthew of Westminster, Earl of Carlisle. But afterwards William took that city to himself, and also retained in his own hands the earldom of Cumberland; instead of which he gave the earldom of Chester to Ranulph de Meschines, who agreed to the exchange on condition, that those he had enfeoffed with lands in Cumberland should hold them in chief of the king. William Rufus completed the rebuilding of Carlisle, and it was raised by Henry the First to an episcopal dignity; but it does not appear, that the kings or princes of Scotland laid any claim to that city, or to the earldom, from the reign of William the First till that of Stephen. Richard and John of Hexham say, that Stephen gave Doncaster also to Henry, prince of Scotland.

But

P. 115. sub
ann. 945.
P. 188. sub
ann. 946.

See Cam-
den, Cum-
berland, p.
787.

See Baro-
nage, p. 36.
Earl of Ches-
ter.

Dugdale's
Baron. p.
37.

See Cam-
den, p. 779.
Cumberland.

But Henry of Huntingdon names only Carlisle. And it does not appear, that either the king or prince of Scotland had any pretension to Doncaster. It was no part of earl Walthecoff's inheritance, nor of his wife's, as far as I can discover. It had never been held by any other Scotch king, nor was it conquered by David during this war; for he advanced no further than to Durham. I have therefore followed Henry of Huntingdon, an author who lived in these times, rather than the two above-mentioned historians, with regard to this point.

P. 205. *This alarm of a storm gathering against him in Scotland brought back that prince, with no small anxiety and disturbance of mind, &c.*

Ord. Vital.
l. iii. p.
911.

There is another reason for Stephen's return assigned by Ordericus Vitalis. According to him a plot was formed, in the king's absence, by many of the English, strictly so called, to massacre all the Normans in England, upon a certain appointed day, as the Danes had been formerly massacred; and to deliver the kingdom to David, king of Scotland, who (as I before have observed) was nearer, in a lineal course of succession, to the Saxon royal family, than Stephen's queen, or the empress. The same historian relates, that it was discovered, by some of the accomplices, to the bishop of Ely, and by him to the rest of the nobles; upon which (as he tells us) many of the conspirators were convicted, and punished by different kinds of death; others, concerned in it, fled out of the realm, *leaving their honours and riches behind*; but the most *powerful* took up arms, and entered into confederacy with the Scotch or the Welch. From these words it is plain, if any regard is to be paid to this passage, that some of the English had *wealth* and *honours*, and *power* at this time. But though Ordericus Vitalis was a contemporary writer, and of
good

good credit in general ; yet, as no other antient author mentions this plot, I think the truth of it is much to be questioned ; especially as that author is not always so accurate in the account he gives of transactions in England, as in relating those that happened in France or Normandy, where he resided. It does not appear, even from the story he tells, that the king of Scotland himself was privy to this design. Nor does it seem at all probable, that, without any encouragement given by him, a general massacre of the Normans in England should be then designed by the English, when, by intermarriages between the two nations continually made, even from the accession of William the Conqueror, their blood was so mixed, and so many families in all parts of England were the offspring of both. The city of London, where the greatest strength of the English then lay, was well-affected to Stephen, and continued to be so till his death. Upon the whole therefore I conjecture, that if any of them were executed for a conspiracy, while the king was abroad, as Ordericus Vitalis relates, it was not for a general one against all the Normans, but for a more confined one, of private resentment and revenge against some of those, to whom he had confided the administration of government during his absence, particularly in the Northern and Western parts of the kingdom, where the conspirators might be favoured by the Scotch and the Welch.

P. 213. *but Stephen suspecting him of holding a treasonable correspondence with David, had, at his return out of Scotland, arrested him in his own court, and, without any proof of his guilt or form of a trial, compelled him to surrender his castle of Bamburg.*

That these arbitrary imprisonments, without process of law, were against the custom of England, even in those days; and that in this respect Magna Charta did no more than confirm the ancient law, will appear from the following passage in Ethelred, abbot of Rivaux, a contemporary historian: "Conjunxerat se ei (regi Scotiæ) ejusque interfuit aciei Eustacius filius Johannis, de magnis proceribus Angliæ, regi quondam Henrico familiarissimus, vir summæ prudentiæ, et in secularibus negotiis magni consilii, qui a rege Anglorum ideo recesserat, quod ab eo in curiâ contra patrium morem captus, castra, quæ ei rex Henricus commiserat, reddere compulsus est: ob quam causam offensus, ut illatum sibi ulcisceretur injuriam, ad hostes ejus sese contulerat." According to other writers, instead of *castra quæ ei rex Henricus commiserat*, it should have been *castrum, quod &c.* namely, the castle of Bamburg: but what I cite this passage for is to prove, that his imprisonment was *contra patrium morem*, and therefore considered as an offence and injury done to him, which even dissolved his allegiance.

P. 238. *swearing to the first, that he should remain without food, till his nephew, the bishop of Ely, surrendered the castle, &c.*

William of Malmesbury, and Gervase of Canterbury, say, that the bishop of Salisbury, having no other means to conquer the obstinacy of the bishop of Ely, and save his son's life, refused to take any nourishment for three days together, by which
he

he at last obliged his nephew to give up the castle: but the other contemporary authors affirm with much more probability, that he did not inflict this abstinence on himself by a voluntary act, but was compelled to it by Stephen, who also took the same method with the bishop of Lincoln.

P. 249. *A secret application was therefore made to her by the earl of Gloucester and Matilda, to receive them into that castle, &c.*

The Norman chronicle says, they were invited by her husband; but as none of the other contemporary historians make any mention of him in this business, and he appears to have lived in peace and friendship with Stephen for some time afterwards, I rather suppose, that he was absent, and had no participation of the intrigue.

P. 277. *upon which she immediately gave the alarm to her friends, and, with all possible silence and secrecy, drew them insensibly, by small parties, out of the city, before the conspirators were ready to act: then, mounting on horseback, she retired, in a military manner, to Oxford; the nobles, who attended her, forming, with their followers, a strong body of cavalry, and marching together, in good order, till they got to a considerable distance from London.*

Some authors say, that Matilda and her friends made their escape in the utmost disorder, and, rather by a flight than retreat, having been informed of their danger but a moment before, when the bells of the city were ringing to call the people to arms, and the insurrection was already begun. But I have preferred the account given by William of Malmesbury, who says, that *insidiis præcognitis et visis, sensim, sine tumultu, quadam militari disciplina urbe cesserunt*. For, had their notice of the plot been so short, and their flight so disorderly, as the others

v. Hist.
Nov. l. ii.
f. 106.

others pretend, it is not conceivable how those who were lodged in the city could all be permitted to go off unmolested, or how it could happen that no pursuit should have been made by the citizens. William of Malmshury affirms, that *all* of Matilda's party escaped unhurt; and no other author makes mention of any of them having been killed, or taken prisoners.

P. 316. *It happened well for him, that the action did not begin till after sun-set; so that darkness coming on assisted his flight.*

In my account of this action, I have, for the most part, followed the author of the Acts of King Stephen. Gervase of Canterbury differs, in some respects, from that author; particularly in this, that he says the king fled without facing the enemy; whereas the other tells us, that he drew all his forces out of the town, and did not fly, till the best part of them were broken and routed, which better agrees with his character. I have reconciled their accounts as far as I could; but, where they are irreconcilable, I have adhered to the Acts of King Stephen, as the writer was nearest in time.

P. 327. *This Sultan left the government to his son Gelaleddin, whose dominions extended from Urquend, a city of Turquestan beyond the river Oxus, to Antioch in Syria; which he won from the Greek empire by the good conduct of Solyman, a prince of his blood, on whom he bestowed it, with part of the Lesser Asia, &c.*

Antioch had been conquered from the Greek empire by the Caliph Omar, in the sixteenth year of the Hegira; and remained in the hands of the Saracens till the year 357 of the same æra, when it was regained from them by the emperor Nicephorus Phocas, Solyman took it in the year of the Hegira 477. (See ANTHAKIA in Herbelot.)

P. 346.

P. 346. *Yet when he found, during his march over the lands of the empire, several proofs of hostile malice and treachery in the Greeks, &c.*

Monsieur Voltaire, in his late History of the Crusades, and another excellent writer of the same nation, have ascribed the mortality in the army of Conrade, only to their intemperance, and the effects of a foreign climate. (V. Voltaire Hist. des Croisades, sub ann. 1147. p. 78. & Abregé Chronologique de l'Histoire de France, tom. i. sub ann. 1148.) But the unanimous testimony of all the contemporary Latin historians, supported by Nice-tas, a Greek, who was Secretary to Emanuel Comnenus, in his Life of that emperor, leave us, I think, no room to doubt, that they were perfidiously destroyed by the Greeks. The silence of the last author, as to any violences committed by the Germans, which might have provoked such ill usage, disproves all that Cinnamus, another Greek writer, has said on that subject. In truth, the behaviour of Conrade and his army was quite irreproachable, with regard to the Greeks; but the Greeks acted treacherously and basely by them; nor can I make any question of their having acted by the orders of Emanuel Comnenus. It appears by a letter from the king of France himself, that he likewise complained of *the fraud of that emperor*: "In quibus sanè partibus, tum *pro fraude*
" imperatoris, tum pro culpâ nostrorum, non
" pauca damna pertulimus, et graviter quidem
" in multis periculis vexati sumus. Non desue-
" runt quippe nobis assiduæ latronum insidiæ, gra-
" ves viarum difficultates, quotidiana bella Turco-
" rum, qui permissione imperatoris in terram suam
" militiam Christi persequi venerant, &c." V.

Epist. Suger. 39. apud Duchesne.

P. 363. *Yet the latter has left his readers as much in the dark, as all the other historians who lived in those days, with regard to the person she intrigued with.*

V. Wil.
Tyri, l. xvi.
c. 27.

His words are these : “ Spe frustratus, mutato studio, regis vias abominari, et ei præstruere patienter insidias, et in ejus læsionem armari cœpit. Uxorem enim ejus in id ipsum contentientem, quæ una erat de fatuis mulieribus, aut violenter, aut occultis machinationibus, ab eo rapere proposuit. Erat, ut præmisimus, *sicut et prius et postmodum manifestis edocuit indicis*, mulier imprudens, et contra dignitatem regiam *legem negl-gens maritalem, ibori conjugalis fidem oblita* : quod postquam regi *compertum est*, principis præveniens molimina, vitæ quoque et saluti consulens, de consilio magnatum suorum iter accellerans, urbe Antiochena cum suis clam egressus est.” By these words, one would imagine, that he meant to accuse her of an amour with her uncle, as well as with others, before and after this time. But, in giving the character of the same prince of Antioch, he says, that he was scrupulously true to his wife, “ conjugalis integritatis, postquam duxit uxorem, sollicitus custos et servator.” And if that prince was not himself the gallant of Eleanor, it is most incredible that he should blast his own reputation, and risk his fortune and life, by taking her from her husband, to favour the criminal passion of another. As for the imputation this writer has thrown, in the passage above-cited, both on her former and subsequent conduct, I do not find it supported by any other evidence in any of the accounts we have of those times.

Idem, l. xiv.
c. 21.

P. 364. *This opinion is well warranted by the words of an historian, who lived in that age.*

The words that I refer to are these: "*Princeps satis intelligens per responſionem regis petitiones ſuas vacuas fieri magna contra regem ferbuit iracundia, et ab illa hora non ceſſavit, in quantum potuit, in malum regis et dedecus machinare; in tantum quod Alienordis regina uxor ſua ſuis malis exhortationibus regem voluit deferere, et ab illo, ad minus ad tempus, quaſi quodam divor- tio ſeparari.*" The Latin is very bad; but it is plain from the ſenſe, that *uxor ſua* means *uxor regis*, and *ſuis malis exhortationibus*, ſhould be *ejus malis exhortationibus*. V Geſta Ludovici VII. regis filii Ludovici Groſſi apud Duchefne.

The author of the Life of Abbot Suger, published in 1721, aſcribes the greateſt part of this book to that Abbot, ſuppoſing that he wrote it from the Memoires of Odo de Deuil, and that after his deceaſe it was finiſhed by Odo. But he is certainly miſtaken in both theſe opinions. For the Memoirs and this Hiſtory differ in many particulars, of which I will mention one inſtance. The Memoirs ſay, that, after the defeat on the mountain of Laodicea, another action enſued, in which the French beat the Turks, and cut to pieces a large body of them between two rivers. (V. Odo. de Diogn. l. vii.) But the hiſtory ſays, they never met with the Turks after the defeat above-mentioned, till they came to Attalia. (V. Geſt. Ludov. c. 14.) The uſe of certain barbarous words in this book, which likewiſe occur in the writings of Suger, is not a proof that he wrote it: as the ſame words are uſed by many others, who wrote in that age. But there are ſome in this book, particularly *parlamentum*, which ſeem to fix the date of it half a century later than Suger's death. (See Geſt. Ludov. c. 3. 18.) I therefore agree with the

Histoire de
Suger, tom.
i. diſſer.
3me.

learned and judicious Dupin, in not regarding this book as the work of that Abbot.

P. 368. *For, to suppose, that true miracles were really done by him, in confirmation of his having received revelations from God, which the event proved to be false, is such an absurdity, and such an impiety, as, one would think, superstition itself should reject.*

It is astonishing, that a protestant Divine, Dr. Fuller, in his History of the Holy wars, should say, that God set his hand to St. Bernard's testimonial of the miracles which that father wrote ! (V. Fuller's History of the Holy wars, l. ii. c. 30.) The Jesuit Maimbourg had more judgment, and speaks very doubtfully about all these miracles ; or, rather, in a way that shews he thought they deserved no credit. (V. Maimbourg Hist. des Croitades, l. iii. p. 429, 430.) But yet it is certain, that few of the modern miracles, believed by the Church of Rome, are better attested. There is still extant a book, published by Sanfon, archbishop of Rheims, which contains a journal of them, with testimonies and proofs. (V. Fleuri Hist. Ecclesiast. l. lxix. p. 1246.) They are mentioned by many contemporary authors, both German and French. (V. Odo de Diog. l. v. Goffredi Vit. S. Bernardi, c. 4.) And, lastly, Bernard himself appeals to them as proofs of the truth of his mission. In his apology to the Pope he writes thus : " If you ask me, what miracles I have done, to prove the divine revelations which I had received, that is a point to which it does not become me to answer. Modesty hinders me, and I ought to be excused from it on that account. It lies on you, holy father, it lies on you to answer for me, according to what you have seen and heard."

Among

Among the miracles said to be done by him, this is one. A lame child was brought to him in presence of the emperor : he made the sign of the cross, raised the child, and bid him walk, which he did very well. Then Bernard, turning to the emperor, said, " This was done for your sake, " that you may know, that God is certainly with " you, and that your enterprize is agreeable to " him."

P. 374. *And, though, in the desperate state of Stephen's affairs after the battle of Lincoln, he, with all the other noblemen who served that prince, except William of Ipres, submitted to Matilda, and not only was confirmed by her in his earldom, but received additional favours, as appears by two charters granted to him that year, yet he soon left her, and returned to the party of the king, &c.*

These charters are cited by Dugdale in his Bar-
onage, but he has misplaced them: for that dated
from Oxford, which he gives first, refers to the
other, dated from Westminster, in several places,
by confirming grants made therein. That both
were granted in the year 1141 appears very clearly.
For Matilda was not at Westminster after the
death of her father till a few days before Midsum-
mer in that year ; and before the end of that sum-
mer she was driven from thence by the conspiracy
of the Londoners. This certainly fixes the time,
when the first of these charters was given, to have
been in that interval. And she promises in the
other, that certain lords, who are called *her barons*,
should be pledges for the engagements contracted
therein, and names among others Gilbert earl of
Pembroke, who, from the time of the siege of
Winchester till a year after the death of the earl of
Essex, was in the service of Stephen. This char-
ter must therefore have been given at the time

Q 9 3

when

when she went to reside in Oxford castle after her flight from Westminster, and before she engaged in her unsuccessful attempt upon the bishop's castle at Winchester : for only during that interval could the earl of Pembroke be reckoned among *her barons*, as he, together with all the chief friends of King Stephen, had then submitted to her ; but presently afterwards forsook her again, and came with the army raised by the queen to besiege her in Winchester. Probably she gave the earl of Essex this charter, which is more liberal than the other, in hopes of recovering the city of London by his assistance. Whether at this time he really meant to assist her is doubtful. Perhaps he only treated with her to amuse and deceive her, till the bishop of Winchester should be ready to act in concert with him against her. Certain it is, that soon afterwards he broke these engagements : for the anonymous author of the Acts of King Stephen names all the earls who attended her general summons at Winchester, and he is not among them : and William of Malmesbury says, that almost all the earls in England attended the bishop of Winchester's summons upon that occasion ; which is a very strong presumption that he came to that siege, with the forces from London, under William of Ipres : for, as he was a person of such note in the party, mention would have been made of his absence, if he had not been there. Nor can one suppose he would afterwards have been trusted by Stephen in so high a degree, if he had not served him at that very critical juncture, when all his other friends returned to his service. It is remarkable, that, in the last of the charters granted to him, in the year 1141, by Matilda, her husband and son are joined with her as confirming the grants. But in the former no notice is taken of either of them ; nor do I find the earl of Anjou once mentioned in

any

V. Gest.
Steph. Reg.
ap. Duchesne Hist.
Norm. p.
956. V.
Malmbs.
Hist. Norm.
1. ii. f. 107.
2. lin. 30.

any other public act or monument of those times relating to England. His being named as a party in the above-mentioned charter would induce one to think, that Matilda had then a design to acknowledge him as king of England, in right of his marriage. But, if it was so, that intention was soon laid aside.

P. 384. *Nevertheless he retained to himself the dominion of that dutchy, as he had held it in her absence; that is, without any dependence upon her.*

Gervase says, she went to live *sub tutela mariti sui*.

P. 390. *and though Celestine died soon afterwards, and he found dispositions more favourable to him in Lucius the Second, yet he could not obtain from that pontiff a renewal of his brother's commission.*

It is said, by some authors, that the bishop of Winchester received a pall from Pope Lucius the Second, who proposed to raise his see into an archbishoprick, with suffragans under him. (V. Diceto Abbreviat. Chronic. sub ann. 1143 Matth. Paris. Annales Winton. Anglia sacra, pars I. p. 300.) But the silence of all the contemporary historians, and more particularly of Gervase of Canterbury, upon this matter, makes me much doubt the truth of it; especially as J. Hagustaldensis affirms, that Lucius refused to make the bishop his legate. The most ancient historian, by whom it is mentioned, is Radulphus de Diceto. Perhaps the bishop might have such a design in his thoughts, as his ambition was restless, and his temper very enterprising; but that in so short a pontificate, as that of Lucius the Second, which did not last a year, so great a change should be made in the English church, and made while a civil

NOTES TO THE FIRST BOOK OF
vii war was raging in the kingdom, is very impro-
bable.

P. 305. *The king and his bishops obeyed the king, and
the king and his bishops, for which they were
sent to the Pope, under spiritual*

... that four of the
... some time after-
... from the sentence they
... and, as we learn
... had been summon-
... I presume, were
... but with some dif-
... in the time they re-
... according as they had shewn
... unless any of them
... some necessary impedi-

*... the archbishop of
... the legate dig-*

The legate was in reali-
... a dimi-
... of Canter-
... of it to be
... of the legantine power in
... which will suffi-
... Theobald to get it
... predecessor obtained
... to his power ;
... the independency
... against
... of the bishop of Rome.

Ibid.

Ibid. But I do not find Theobald styled the Pope's legate till the year 1151.

The author of the *Antiquitates Ecclesiæ Britannicæ*, and after him Mr. Selden, in his dissertation on Fleta, and some later writers, have said, that archbishop Theobald was honoured with the title of *legatus natus*. But I find no mention of it in the contemporary historians. Gervase of Canterbury was too well informed of the affairs of that see, and too fond of all that he supposed did honour to it, especially under the government of Archbishop Theobald, to have omitted this in his Chronicle, and in the Life of that prelate, had it been true. Mr. Selden, who says, that this title was given him by Innocent the Second, must be mistaken; as we certainly know, that the bishop of Winchester was legate in England till the death of that pope. Some other writers have said, that Theobald gained the legantine dignity from Celestine the Second; but this, I believe, is likewise an error. For, had that commission been held by him when Celestine died, Lucius would hardly have sent into this kingdom a cardinal legate, as we find that he did; or, at least, on the recal of that legate, Theobald would have been styled, by Gervase of Canterbury, and Henry of Huntingdon, *apostolica sedis legatus*; but they do not give him that title till the year 1151.

P. 402. But, before he did this, he required him to take an oath, never to resume, from him, or his heirs, any part of the three counties, which he had obtained possession of, during the troubles in England.

In this I have followed William of Newbury. Roger de Hoveden, in giving an account of the oath exacted by David, expresses it thus: "Fac-

"tus est miles ab eodem rege David in civitate
"Carleoli, prius dato sacramento, quod, si ipse rex
"Angliæ

v. Hoveden, sub ann.
1148 lin.
50.

NOTES TO THE FIRST BOOK OF

“Angliæ fieret, redderet ei Novum castellum, et totam Northumbriam, et permetteret illum, et hæredes suos in pace, sine calumnia, in perpetuum possidere totam terram, quæ est à fluvio Tæmæ ad fluvium Tine.” But David, according to William of Newbury, was then in possession of all the country belonging to England, as far as the river Tees. “Aquilonaris vero regionis in potestatem domini regis Scotorum transire ad fluvium Tæmæ ceperat, per ejusdem regis mandatum in pace debebat.” Yet notwithstanding this difference in marking the bounds, we assume that they both meant the three Northern provinces, when William of Newbury afterwards says that they were yielded back to Henry in the year 1174. “Regem quoque Scotorum, qui Aquilonares Angliæ regiones, scilicet Northumbriam, Cumbriam, Westm. et Irlandiam, nomine Imperatricis sue Imperatricis, et hæredis ejus, olim a rege Scotorum rege adquisitas, tanquam jus suum esse voluerat, mandare curavit, regem Angliæ non sibi in parte non debere fraudare, nec se nec hæredes mutilari: justum esse reddere, quod inde nomine adquisitum. Ille vero reverenter obsecrans regem Angliæ in hac parte suam potestatem suam merito causæ præstare, et piam se offerre obtemperare juramentum, quod ei in hoc die et nocte mille dicebatur, cum ab eo accepisset, et accepisset, prænominatos fines et regiones in integritate restituit, &c.”

It is to be observed, that this author speaks of David having taken this oath somewhat doubtfully, as having his knowledge of it only from the report of others (*ut dicitur*) cautione;” and in the passage cited above, “juramentum mille diebus et noctibus præstitisse dicebatur.” But the Scotch writers, and all the Scotch writers, are almost in the right. To the Scotch I should pay the greatest regard, as the most ancient of these writers

ters is but of late times, and cannot be opposed to the authority of contemporary historians; but, I think, that the testimony of Roger de Hoveden cannot reasonably be rejected, especially as the matter is probable in itself. For though David had possessed himself of the above-mentioned counties in the name of Matilda, and of her son, he certainly did not mean to give up the pretensions his own son had to Northumberland, if not to Carlisle; and we find, he disposed of all the three counties at his death, as having an absolute property in them, *tanquam jus proprium*, (to use the expression of William of Newbury) which he would hardly have done, without having made some agreement with Henry about them. I therefore believe, that he took this opportunity to obtain them from that prince, who wanted his assistance; and to obtain them, not as feudatory, but independent dominions.

P. 403. I presume, that he was not to hold this acquisition as a fief under David, who had no title to it, but under Henry Plantagenet as king of England.

J. Hagustaldensis says, he did homage to David: but this must be a mistake; for Lancaster could not possibly be claimed by that king as a fief of his crown, having never belonged to it, either by treaty or grant from any king of England. It is not mentioned among the territories restored to Henry the Second; nor is there any notice taken of its having been retained by the king of Scotland, or ceded to him by England. Henry, no doubt, would have claimed and recovered it, with the three Northern counties, if it had been in the possession of that king.

NOTES TO THE FIRST BOOK OF

110. *His father directed, by a clause in his will, that if ever Henry should be fully possessed of his father's inheritance, that is, of England and Normandy, he then should give up all his paternal dominions, namely the earldoms of Anjou, Touraine and Maine, to his second brother.*

This fact is questioned by Mr. Carte, on the authority of an ancient historian, the monk of Moir-mouctier, who relates, "That the earl of Anjou left orders at his death, forbidding Henry his son to introduce the customs of England or Normandy into Anjou;" from whence Carte infers, that he intended to leave that prince sole heir to all those dominions. But the inference is not good: for, as he certainly left him Anjou till he should gain possession of England, he might think it proper to restrain him from any alteration of the laws of that province while it was under his dominion, and yet mean to give that and his two other earldoms to Geoffry, when the above-mentioned contingency should come to pass. Certainly, neither this passage, nor the silence of other writers upon this point, can be enough to invalidate the positive testimony of William of Newbury, a contemporary historian, given with so many particulars, and supported by Brompton. Nor is it probable, that, without some pretence of this kind, Geoffry should have invaded his brother's dominions.

P 110. *Suger was dead; and he had no other friend, either so honest or so wise, as to shew him all the folly of what he was doing.*

The author of the Life of Abbot Suger supposes, that, after Louis returned into France, that minister approved of his divorcing the queen, on account of her conduct while they were in the East. But I can discover no foundation for this supposition, which ill agrees with the prudence of Suger. The words
of

of the letter he wrote to Louis, which are brought to confirm it, prove no such thing. "De regina, "conjuges vestra, audemus vobis laudare (si tamen "placet) quatenus rancorem animi vestri [*si est*] "operiatis, donec (Deo volente) ad proprium rever- "sus regnum, et super his et super aliis provideatis." Advising him not to discover the rancour of his mind (*if he had any*) towards his queen, till, being returned into his own kingdom, he *might take proper measures on that and other affairs*, was by no means advising, *that he then should divorce her*. The true intention of it seems to have been, *to gain time*, and stop the king from pursuing, with a rash precipitation, what the first heat of his resentment suggested.

P. 432. *And had the resolution to publish an edit, which silenced the professor, and forbade the books, &c.*

The words of John of Salisbury, who was a contemporary writer, are these: "Tempore regis "Stephani à regno jussæ sunt *leges Romanæ*, quas "in Britanniam domus venerabilis patris Theobaldi, J. Salisb. de "Britanniarum primatis, asciverat. Ne quis etiam nugis curia- "libros retineret edicto regio prohibitum est; et lium. "Vacatio nostro inhibitum silentium." Mr. Selden, in his Dissertation on Fleta, understands the civil laws by *leges Romanæ*; and that the sense of them extended to these, is certain; but that they principally meant the canon laws, I think evident from the words of the same John of Salisbury immediately following: "Sed, *Deo faciente*, eo magis vir- "tus legis invaluit quo eam amplius nitebatur impi- "etas infirmare." How could the opposing the imperial, or civil laws, unconnected with the canon laws, be called *a work of impiety*? Or, why is the *assistance of God* brought in to the support of these laws, if the Pope and the Church had not been concerned in them? Indeed Mr. Selden himself, in three other tracts, has given his opinion for understanding this passage as relative to the canon laws. Janus Anglorum. of Review his book upon Tythes. And Notes upon Fortescue.

Actus pontif. Cantuar. de Theobaldo.

V. Dissert. in Fletam. Arthur Duck de usu & auctoritate juris civilis. Chron. Norm. Robert de Monte, ann. 1148. V. Rot. Parl. 2 Rich. II. Bedæ Hist. eccles. l. iv. c. 5. Spelm. Conc. 293.

And Joannes Balæus explains them in the same sense. There is also a passage in Gervase of Canterbury, which may afford some light in this matter : Speaking of the disputes between the archbishop of Canterbury and the bishop of Winchester, about the legantine power, he goes on thus ; “ Oriuntur hinc inde discordiæ graves, lites, et appellationes antea inauditæ. *Tunc leges et causidici in Angliam primo vocati sunt*, quorum primus erat magister *Vacarius*. Hic in Oxenfordia *Legem* docuit, et apud Romam magister *Gratianus*, et *Alexander*, qui et Rodlandus, in proximo papa futurus, *canones compilavit*.” By this it appears, that the occasion of bringing over these laws and professors from Italy, was the new and frequent disputes that arose between bishops, and, in consequence of them, appeals made to the Pope. The jurisprudence of Rome, that is, the canons received, and authorized there, being to decide these appeals, the study of them was thought to be necessary here ; and both parties desired to make their court to the pope, by the regard they paid to them ; as nothing could more enlarge his authority, than the extending the use and influence of these laws. Yet it must be confessed, that Vacarius, who, as Gervase of Canterbury tells us, was the chief professor of them in England, did also teach the civil law. He was professor of both, *legum doctor*, and brought both together into this kingdom. For, at this time, they went hand in hand over Europe. The prohibition of Stephen included both ; for there might well be a jealousy in the government, that too great a fondness, either for the civil or canon law, would be very prejudicial to the English constitution. It was afterwards found to be so ; and therefore wisely opposed by the parliament. The only difficulty is, why the canon law should be said to be *now brought into England*. For, in a National synod, held here Anno Domini 670, the Codex Canonum vetus ecclesiæ Romanæ was received

received by the clergy. It also appears, by a statute of William the First, that, with the advice and consent of his great council, he had reviewed and reformed the episcopal laws that were in use till his time in the realm of England. Some establishment therefore the canon law had undoubtedly gained in this country before the reign of King Stephen, even by the sanction of the whole legislature. But those more ancient canons were not so prejudicial to the rights of state, as these now introduced by Vacarius. The great compilation made by Ivo de Chartres, in the time of Henry the first, was strongly calculated to advance the dominion of Rome, and all the extravagant pretensions of the clergy. It was probably this which was brought over and taught by Vacarius, with such other papal decrees, or canons of councils, as later popes had superadded to that body of laws. And these being formed on the principles of Gregory the Seventh, it was time for the civil power to resist their establishment. Besides, the question was now not only upon the *utility*, but the *authority* of those laws. For the court of Rome pretended to impose them upon all Christian states, *proprio jure*, and by a transcendent power in itself, derived from God, to which the laws of all nations were to submit. It was therefore more necessary now to assert the independency of the state, by refusing to admit them. Nor do I conceive that Stephen, by this prohibition, forbad the use of those canons which were already ingrafted into our constitution. He only expelled the new books, which had lately been brought into England by Vacarius.

The exact time when he published this edict we cannot be certain of; the year not being mentioned in any ancient writers who tell us the fact. Some modern authors have supposed, that it was done about the year 1148; but that is a mistake; for Vacarius did not begin to read lectures in Oxford till the year 1149. I have therefore ventured to
place

Selden's
Notes on
Eadmer. &
Analect.
Angl. Bri-
tan. L. Gul. I.

V. Selden's
Review of
his book of
tythes.

place it in the year 1152, when Stephen had no longer any measures to keep, either with the pope, or the bishops, having been so insulted by both in the affair of his son's coronation. And as Gratian published his *Decretum* in the year 1151, that collection was probably sent over to Vacarius, and read by him here, which, from the nature of it, might well add to the alarm of the government, and determine it the more to this prohibition. Where we have only conjecture to guide us, probabilities must determine.

Matth. Paris, p. 352.

It is observable, that, when the Decretals of Gregory the Ninth, which he had *commanded to be read, and divulged throughout the whole world*, were brought into England, in the nineteenth year of the reign of Henry the Third, the king forbade them to be taught in the London schools: "Mandatum est majori et vicecomitibus London. (says the close roll of this year) quod clamari faciant, et firmiter prohiberi, ne aliquis scholas regens de legibus in eadem civitate, de cætero ibidem leges doceat; et si aliquis fuerit hujusmodi scholas regens, ipsum sine dilatione capere faciant. Teste rege apud Basing. 11 Decem." Lord Coke indeed says, that this writ was issued out against the reading upon Magna charta, and Charta de foresta; but Selden and other learned men have demonstrated that he was mistaken.

See Dissert. on Fleets. See Hist. of Convocat. p. 314.

P. 438. *And landed very happily, it is not said where, but, probably, at Wareham, on the sixth day of January, 1153.*

The Norman chronicle, as published in Duchesne, puts this event under the year 1151, as it does the death of the earl of Anjou under the year 1150. But Duchesne himself has observed, that the copy from which he printed that work is very full of anachronisms. Many indeed of the most approved writers, who lived in these times, differ in their
dates

dates even of very important facts. The disagreement between them may, sometimes, be reconciled, by observing, that some of them compute the beginning of the year from the incarnation, others from the nativity, others from the passion of our Lord Jesus Christ. And those who reckon not by the years of Christ, but by the years of a king's reign, (as several do) are not agreed in that computation; for, if a king came to the crown about the middle or end of a year, some reckon the interval between his coronation and the following year the first of his reign, beginning the second with the commencement of the next year: Others, on the contrary, take no account of those broken months, but date the reign from the beginning of the ensuing year. But there are some instances, where the discordance, in point of chronology, cannot be accounted for either way; but must be owing to inaccuracy and mistake in the writers, or in the copies which we have of their books. I have taken great pains, throughout this history, to fix the dates as exactly as possible; but do not think it necessary to trouble my readers, upon every occasion, with giving my reasons why I have preferred one authority to another.

P. 442. *The earl of Arundel, having assembled the English nobility, and principal officers, spoke to this effect, &c*

Gervase of Canterbury, in his account of this event, makes the earl of Arundel propose an agreement with Henry to Stephen himself, without having first suggested it to the nobles, or being secure of their assent. And he supposes, that it arose from accident, not design; because the king's horse had fallen with him three times, which the earl thought a bad omen, and for that reason advised him to make a peace. One would also imagine, from his way of relating it, that Stephen came into a proposal so sudden, and so disadvantageous to himself and

Vid. Gerv.
Chron. p.
1373.

Huntingd.
f. 227.

his family, without any reluctance, and chiefly on *that account*. But this is very improbable in every circumstance, especially as it appears by several proofs, that this prince was remarkably free from superstition. Henry of Huntingdon, another contemporary historian, gives a more rational account of this matter in many particulars. According to him, it was entirely the act of the English nobility, who forced both Stephen and Henry into it against their will. His words are these: " *Insurrexerunt autem*
" proceres, immo proditores, Angliæ, de concordia
" inter eos agentes, nihil tamen magis quam discordiam
" diligentes: sed bellum committere volebant, quia
" neutrum exaltare volebant, ne, altero subactò, alter
" iis libere dominetur, sed semper alius alterum metu-
" ens regiam in eos potestatem exercere non posset.
" Inducias igitur inter se rex, duxque constituerunt,
" coacti, nolentes, &c."

There are very few passages in any of our old English writers, which deserve more regard, for the good sense contained in them, and for the light which they throw upon a part of our history left very dark by all others. Yet it must be observed, that the earl of Arundel is not mentioned by Henry of Huntingdon in this affair; but as the narrative of it is short, the omission will prove nothing against what is said by other historians, of that nobleman's having been the first mover of it, and having greatly contributed to its success by the speech he made on this subject. I have therefore agreed so far with those writers; but in the occasion and purport of the speech, as well as in the effect that it had on Stephen, I have preferred the authority of Henry of Huntingdon, who seems to have been better informed, or to have judged more sagaciously of the real motives and springs of this revolution.

In composing the speech, I have followed the example of the most admired historians, Thucydides, Livy, Sallust, Tacitus, Guicciardino, Bentivoglio,
 Lord

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Lord Bacon, and several others, both of ancient and modern times, who thought it proper to introduce some ornaments of this nature into their narratives; though some persons of good sense have objected against them, particularly Pere Daniel. They certainly give a dignity and spirit to history; for which reason, I think, they ought to be admitted, when they are only brought in upon great and weighty occasions, and when there is warrant sufficient to determine the matter, and general scope of them; as in this given here. I have sometimes abridged those that are delivered down to us in our ancient historians, if they appeared to be tedious; and some, which I thought impertinent, I have left out; but most of them are translated, without variation, from the contemporary writers.



APPENDIX

TO THE

FIRST BOOK.

Nº I.

Account of the Fleet which came over with the Conqueror, from an ancient MS in the Museum.

WILLELMUS Dux Normannorum veniens in Angliam, ob acquirendum regnum jure sibi debitum, habuit a Wilhelmo dapifero, filio Osberni, sexaginta Naves. Ab Hugone postea Comite de Cestria totidem. Ab Hugone de Monfort quinquaginta Naves, et sexaginta Milites. A Romo vel Rumi elemosinario Fescanni, postea Episcopo Lincolnienſi, unam Navem cum xx Militibus. A Nicholao Abbate de Sancto Audoenſi xx Naves cum c Militibus. A Roberto Comite Augi sexaginta Naves. A Fulcone clauſo xl Naves. A Geroldo dapifero totidem. A Will. Comite d'Evereux octoginta Naves. A Rogero de Montgomeri sexaginta Naves. A Rogero de Beaumont lx Naves. Ab Odone Episcopo de Baios c Naves. A Roberto de Morotein c & xx. A Waltero Giffardo xxx cum c Militibus. Extra has Naves, quæ computatæ simul m efficiunt, habuit Dux a quibusdam ſuis Hominibus, ſecundum poſſibilitatem unius cujuſque, multas alias Naves. Matildis, poſtea Regina, ejuſdem Ducis Uxor, ad honorem

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Ducis fecit effici Navem quæ vocabatur *Mora*, in qua ipse Dux vectus est. In prorâ ejusdem Navis fecit fieri eadem Matildis infantulum de auro, dextro indice monstrantem Angliam, et sinistra manu imprimentem cornu eburneum Ori. Pro quo facto Dux concessit eidem Matildi Comitatum Cantix.

N. B. There are some few errors in this manuscript with regard to the proper names, and the division of the sentences, which being very evident, I have ventured to correct them, and I have also printed the words without those abridgments which most of my readers would find troublesome. I presume that, by the words *pro quo facto Dux concessit eidem Matildi Comitatum Cantix*, the writer means, that he assigned her lands in Kent for her dower; the county being, we know, given by him to his brother, Odo bishop of Bayeux.

N^o. II.

Transcribed from Wilkins and the Red Book of the Exchequer.

Carta Regis Willielmi Conquistoris de quibusdam statutis.

WILLIELMUS Rex Anglorum, Dux Normannorum, omnibus hominibus suis Francis et Anglis, Salutem.

51. *De Religione et Pace publica.*

Statuimus inprimis super omnia, unum Deum per totum regnum nostrum venerari, unam fidem Christi semper inviolatam custodiri, pacem et securitatem, et concordiam, judicium et justitiam inter Anglos et Normannos, Francos et Britones Wallix et Cornubiæ, Pictos et Scotos Albanix, similiter inter Francos et Insulanos, Provincias et Patrias

Patrias quæ pertinent ad coronam et dignitatem, defensionem et observationem, et honorem regni nostri, et inter omnes nobis subiectos per universam Monarchiam regni Britanniae firmiter et inviolabiliter observari. Ita quod nullus alii forisfaciat in ullo super forisfacturam nostram plenam.

N. B. This law puts all the subjects of William the Conqueror on an equal footing.

52. *De fide et obsequio erga Regem.*

Statuimus etiam ut omnes liberi homines fœdere et sacramento affirment, quod intra et extra universum regnum Angliæ (quod olim vocabatur regnum Britanniae) Willielmo Regi Domino suo fideles esse volunt, terras et honores illius fidelitate ubique servare cum eo, et contra inimicos et alienigenas defendere.

N. B. See what is said of this law in the latter part of the first book of the second volume, concerning the *militia* of the Normans.

55. *De Clientelari seu Feudorum jure et ingenuorum immunitate.*

Volumus etiam, ac firmiter præcipimus et concedimus, ut omnes liberi homines totius Monarchiae regni nostri prædicti habeant et teneant terras suas, et possessiones suas bene, et in pace, libere ab omni exactione injusta, et ab omni tallagio, ita quod nihil ab eis exigatur vel capiatur, nisi servitium suum liberum. quod de jure nobis facere debent, et facere tenentur; et prout statutum est eis, et illis a nobis datum et concessum jure hæreditario in perpetuum per commune consilium totius regni nostri prædicti.

N. B. See what is said of this statute p. 52. of this volume, and likewise in the latter part of the first book of the second volume, concerning the royal revenues. I will only add here, that it seems to refer to a former statute of the same king, which is now lost.

56. *De nocturnis custodiis.*

Statuimus etiam et firmiter præcipimus, ut omnes

nes Civitates, et Burgi, et Castella, et Hundreda, et Wapentachia totius regni nostri prædicti singulis noctibus vigilantur, et custodiantur in girum, pro maleficis et inimicis prout Vicecomites, et Aldermanni, et Præpositi, et cæteri Ballivi, et Ministri nostri melius per commune consilium ad utilitatem regni providebunt.

47. *De Mensuris et Ponderibus.*

Et quod habeant per universum regnum mensuras fidelissimas et signatas, et pondera fidelissima et signata, sicut boni Prædecessores statuerunt.

N. B. This useful statute was a confirmation of many others more ancient, and was confirmed in many succeeding reigns, but never, I believe, duly executed.

58. *De Clientum; seu Vassalorum præstationibus.*

Statuimus etiam et firmiter præcipimus, ut omnes Comites, et Barones, et Milites, et servientes, et universi liberi homines totius regni nostri prædicti habeant et teneant se semper bene in armis, et in equis, ut decet et oportet, et quod sint semper prompti et bene parati ad servitium suum integrum nobis explendum, et peragendum, cum semper opus adfuerit, secundum quod nobis debent de feodis et tenementis suis de jure facere, et sicut illis statuimus per commune consilium totius regni nostri prædicti, et illis dedimus et concessimus in feodo jure hæreditario. Hoc præceptum non sit violatum ullo modo super forisfacturam nostram plenam.

N. B. See what is said of this law in the latter part of the first book of the second volume, concerning the *militia* of the Normans.

59. *Ut jura regia illæsa servare pro viribus contentur subditi.*

Statuimus etiam et firmiter præcipimus, ut omnes liberi homines totius regni nostri prædicti sint fratres conjurati ad Monarchiam nostram et ad regnum nostrum pro viribus suis ac facultatibus contra inimicos pro posse suo defendendum, et viriliter

riliter servandum, et pacem et dignitatem Coronæ nostræ integram observandam, et ad iudicium rectum, et iustitiam constanter omnibus modis pro posse suo sine dolo et sine dilatione faciendam. Hoc decretum sancitum est in civitate London.

N. B. This was agreeable to the antient Saxon laws, which bound all freemen to the defence of the king and kingdom. The last sentence shews, that these laws were made in different places, and at different times.

60. *Ne venditio et emptio fiat nisi coram-testibus et in civitatibus.*

Interdicimus etiam, ut nulla viva pecunia vendatur aut ematur, nisi intra civitates, et hoc antea tres fideles teste, nec aliquam rem vetitam sine fidejussore et warranto. Quod si aliter fecerit, solvat et persolvat, et postea forisfacturam.

61. *De emporiis, et jure urbium pagorumque notæ melioris.*

Item nullum mercatum vel forum sit, nec fieri permittatur, nisi in civitatibus regni nostri, et in burgis, et muro vallatis, et in castellis, et in locis tutissimis, ubi consuetudines regni nostri, et jus nostrum commune et dignitates coronæ nostræ, quæ constitutæ sunt a bonis Prædecessoribus nostris deperiri non possint, nec defraudari, nec violari, sed omnia rite et in aperto, et per iudicium et iustitiam fieri debent. Et ideo castella, et burgi, et civitates sitæ sunt et fundatæ et ædificatæ, scilicet, ad tuitionem gentium et populorum regni, et ad defensionem regni, et idcirco observari debent cum omni libertate, et integritate, et ratione.

63. *Firmanur Leges Edwardi Regis.*

Hoc quoque præcipimus ut omnes habeant et teneant leges Edwardi Regis in omnibus rebus, adauctis his quas constituimus ad utilitatem Anglorum.

N. B. This law may be called *a new charter to the English*, confirming to them *all their ancient*

cient laws, with such additions, or alterations, only, as had been made in them by William to their advantage. It also extended to the Normans here the benefit of the English laws, so far as they were not altered by the new constitutions made by their prince with their concurrence. For the word *constituimus* implies a parliamentary act.

64. *De justitiæ publicæ fidejussoribus.*

Omnis homo qui voluerit se teneri pro libero, sit in plegio, ut plegius eum habeat ad justitiam si quid offenderit, et quisquam evaserit, talium videant plegii ut solvant quod calumniatum est, et purgent se, quia in evaso nullam fraudem noverint. Requiritur hundredus, et comitatus (sicut antecessores statuerunt) et qui juste venire debent et noluerint, summoneantur semel, et si secundo non venerint, accipiat unus bos; et si tertio, alius bos; et si quarto, reddatur de rebus hujus hominis quod calumniatum est, quod dicitur *ceapgyld*, et insuper Regis forisfactura.

65. *De Servis et eorum manumissione.*

Et prohibemus ut nullus vendat hominem extra patriam: si qui vero velit servum suum liberum facere, tradat eum Vicecomiti per manum dextram in pleno comitatu, quietum illum clarnare debet a jugo servitutis suæ per manumissionem, et ostendat ei liberas vias, et portas, et tradat illi libera arma, scilicet, lanceam, et gladium; deinde liber homo efficitur.

66. *De Servis.*

Item, si Servi permanserint sine calumnia per annum et diem in Civitatibus nostris vel in Burgis Muro vallatis vel in Castris nostris, a die illa liberi efficiuntur, et liberi a jugo servitutis suæ sint in perpetuum.

N. B. See what is said of these three laws in the latter part of the first book of the second volume.

Carta Willielmi.

W. Gratia Dei Rex Angliæ Comitibus, Vicecomitibus, et omnibus Francigenis et Anglis qui in Episcopatu Remegii Episcopi terras habent, salutem. Sciatis vos omnes et cæteri mei fideles, qui in Anglia manent, quod Episcopales Leges, quæ non bene, nec secundum sanctorum Canonum Præcepta, usque ad mea tempora in regno Anglorum fuerunt, communi concilio et consilio Archiepiscoporum meorum, et cæterorum Episcoporum et Abbatum, et omnium Principum Regni mei emendas judicavi. Propterea mando et regia auctoritate præcipio, ut nullus Episcopus vel Archidiaconus de Legibus Episcopalibus amplius in Hundret placita teneant, nec causam quæ ad regimen animarum pertinet ad iudicium secularium hominum adducant. Sed quicumque secundum Episcopales Leges de quacunque causa vel culpa interpellatus, fuerit, ad locum, quem ad hoc Episcopus elegerit vel nominaverit, veniat, ibique de causa sua respondeat, et non secundum Hundret, sed secundum Canones et Episcopales Leges, rectum Deo et Episcopo suo faciat. Si vero aliquis per superbiam elatus ad iustitiam Episcopalem venire noluerit, vocetur semel, secundo, et tertio; quod si nec sic ad emendationem venerit, excommunicetur, et si opus fuerit ad hoc vindicandum Fortitudo et Iustitia Regis sive Vicecomitis adhibeatur. Ille autem, qui vocatus ad Iustitiam Episcopi venire noluerit, pro unaquaque vocatione Legem Episcopalem emendabit. Hoc etiam defendo et mea auctoritate interdico, ne ullus Vicecomes aut Præpositus aut Minister Regis nec aliquis Laicus homo alium hominem sine iustitia Episcopi ad iudicium adducat. *Judicium vero in nullo*

Huntingd.
f. 227.

his family, without any reluctance, and chiefly on *that account*. But this is very improbable in every circumstance, especially as it appears by several proofs, that this prince was remarkably free from superstition. Henry of Huntingdon, another contemporary historian, gives a more rational account of this matter in many particulars. According to him, it was entirely the act of the English nobility, who forced both Stephen and Henry into it against their will. His words are these: "*Insurrexerunt autem proceres, immo proditores, Angliæ, de concordia inter eos agentes, nihil tamen magis quam discordiam diligentes: sed bellum committere volebant, quia neutrum exaltare volebant, ne, altero subacto, alter iis libere dominetur, sed semper alter alterum metuens regiam in eos potestatem exercere non posset.*" Inducias igitur inter se rex, duxque constituerunt, "*coacti, nolentes, &c.*"

There are very few passages in any of our old English writers, which deserve more regard, for the good sense contained in them, and for the light which they throw upon a part of our history left very dark by all others. Yet it must be observed, that the earl of Arundel is not mentioned by Henry of Huntingdon in this affair; but as the narrative of it is short, the omission will prove nothing against what is said by other historians, of that nobleman's having been the first mover of it, and having greatly contributed to its success by the speech he made on this subject. I have therefore agreed so far with those writers; but in the occasion and purport of the speech, as well as in the effect that it had on Stephen. I have preferred the authority of Henry of Huntingdon, who seems to have been better informed, or to have judged more sagaciously of the real motive and springs of this revolution.

In composing the speech, I have followed the example of the most admired historians, Thucydides, Livy, Sallust, Tacitus, Guicciardino, Bentivoglio, Lord

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Lord Bacon, and several others, both of ancient and modern times, who thought it proper to introduce some ornaments of this nature into their narratives; though some persons of good sense have objected against them, particularly Pere Daniel. They certainly give a dignity and spirit to history; for which reason, I think, they ought to be admitted, when they are only brought in upon great and weighty occasions, and when there is warrant sufficient to determine the matter, and general scope of them; as in this given here. I have sometimes abridged those that are delivered down to us in our ancient historians, if they appeared to be tedious; and some, which I thought impertinent, I have left out; but most of them are translated, without variation, from the contemporary writers.

18. "Liber homo, qui habuerit averia campestris xxx denariis æstimanda, dabit denarium S. Petri. Pro iv denariis, quos donaverit Dominus, quieti erunt bordarii ejus, et ejus *scabini*, et ejus servientes. Bagenensis, qui de propriis catallis habet id quod dimidia marca æstimandum est, dare debet denarium S. Petri. Qui in Danelaga est liber homo, et habet averia campestris, quæ dimidia marca in argento æstimantur, debet dare denarium S. Petri. Et per denarium, quem donaverit Dominus, erunt quieti ii qui resident in suo Dominio."

N. B. The word *scabini* here is certainly a wrong translation, for Spelman, in his Glossary, says it means judges or assessors in the rural courts, persons too high to be ranked with *bordarii* and *servientes*. The word in the original is *bovers*, which I do not find in his Glossary: but Mr. Tyrrel translates it *villains*, and he says he was assisted by Dr. Hickes, who was skilled in the Saxon terms. Probably it was some species of under tenants on the demesne. The law is curious, as it shews in what proportions and from whom Peter-pence was then levied.

22. "De Relevio Comitis, quod ad regem pertinet, viii equi ephippiati; et frænis ornat, iv lorice, et iv galeæ, et iv scuta, et iv hastæ, et iv enes, alii cæteri iv veredi et palfredi, cum frænis et capestris."

N. B. This is agreeable to the laws of King Canute.

j. 23. "De Relevio Baronis, iv equi cum sellis et frænis ornat, et lorice ii, et ii galeæ, et scuta ii, et ii hastæ, et ii enes, et alii cæteri iv unus veredus, et unus palfredus, cum fræno et capistro."

24. "De Relevio Vavalloris ad legitimum suum Dominum. Quietus esse debet per equum patris sui talem qualem habuerit tempore mortis suæ, et per lorica suam, et per galeam suam, et per scutum suum

suum et per hastam suam, et per ensen suum; et si adeo fuerit inermis, ut nec equum habuerit nec arma, per centum solidos."

N. B. All these reliefs in horses and arms were afterwards settled to be paid in money, and not in the same proportions as they stand here between earls, barons, and tenants by knight service, or vassals. See the latter part of the first book of the second volume, and the notes thereto.

29. "De Relevio Villani. Melius animal quod habuerit, id (five equus sit, five bos, five vacca) donabit Domino suo pro relevio, et postea sint omnes villani in franco plegio."

N. B. I put this law before some that are prior to it in the collection, and will follow here, not to separate those that are on the same subject. It must be observed, that the titles prefixed to all these laws in the Latin translation of Wilkins are not in the original French, and are many of them faulty. For instance, the title to this is *De Servorum Relevio*. But the word *villanus* in the original signifies not a slave, but a farmer, as is evident from the law itself, which makes him liable to a relief; whereas the slaves had no property, all they had being their masters. It also declares, that *omnes villani* shall be under *frank pledge*, which shew that these villains were freemen. See more on this subject in the latter part of the first book of the second volume.

40. "Eorum qui fundum suum tenent ad censum, sit rectum relevium tantum quantum census annuus est."

N. B. This relates to socage tenure, and continued to be the rule for the payment of reliefs from lands so held, till after the times that I write of. See Glanville, l. ix. p. 71. See also the

Ducis fecit effici Navem quæ vocabatur *Mora*, in qua ipse Dux vectus est. In prorâ ejusdem Navis fecit fieri eadem Matildis infantulum de auro, dextro indice monstrantem Angliam, et sinistra manu imprimentem cornu eburneum Ori. Pro quo facto Dux concessit eidem Matildi Comitatum Cantie.

N. B. There are some few errors in this manuscript with regard to the proper names, and the division of the sentences, which being very evident, I have ventured to correct them, and I have also printed the words without those abridgments which most of my readers would find troublesome. I presume that, by the words *pro quo facto Dux concessit eidem Matildi Comitatum Cantie*, the writer means, that he assigned her lands in Kent for her dower; the county being, we know, given by him to his brother, Odo bishop of Bayeux.

Nº. II.

Transcribed from Wilkins and the Red Book of the Exchequer.

Carta Regis Willielmi Conquistoris de quibusdam statutis.

WILLIELMUS Rex Anglorum, Dux Normannorum, omnibus hominibus suis Francis et Anglis, Salutem.

51. *De Religione et Pace publica.*

Statuimus inprimis super omnia, unum Deum per totum regnum nostrum venerari, unam fidem Christi semper inviolatam custodiri, pacem et securitatem, et concordiam, judicium et justitiam inter Anglos et Normannos, Francos et Britones Wallie et Cornubiæ, Pictos et Scotos Albanie, similiter inter Francos et Insulanos, Provincias et Patrias

nes Civitates, et Burgi, et Castella, et Hundreda, et Wapentachia totius regni nostri prædicti singulis noctibus vigilantur, et custodiantur in girum, pro maleficis et inimicis prout Vicecomites, et Aldermanni, et Præpositi, et cæteri Ballivi, et Ministri nostri melius per commune consilium ad utilitatem regni providebunt.

47. *De Mensuris et Ponderibus.*

Et quod habeant per universum regnum mensuras fidelissimas et signatas, et pondera fidelissima et signata, sicut boni Prædecessores statuerunt.

N. B. This useful statute was a confirmation of many others more ancient, and was confirmed in many succeeding reigns, but never, I believe, duly executed.

58. *De Clientum, seu Vassalorum præstationibus.*

Statuimus etiam et firmiter præcipimus, ut omnes Comites, et Barones, et Milites, et servientes, et universi liberi homines totius regni nostri prædicti habeant et teneant se semper bene in armis, et in equis, ut decet et oportet, et quod sint semper prompti et bene parati ad servitium suum integrum nobis explendum, et peragendum, cum semper opus adfuerit, secundum quod nobis debent de feodis et tenementis suis de jure facere, et sicut illis statuimus per commune consilium totius regni nostri prædicti, et illis dedimus et concessimus in feodo jure hæreditario. Hoc præceptum non sit violatum ullo modo super forisfacturam nostram plenam.

N. B. See what is said of this law in the latter part of the first book of the second volume, concerning the *militia* of the Normans.

59. *Ut jura regia illæsa servare pro viribus conentur subditi.*

Statuimus etiam et firmiter præcipimus, ut omnes liberi homines totius regni nostri prædicti sint fratres conjurati ad Monarchiam nostram et ad regnum nostrum pro viribus suis ac facultatibus contra inimicos pro posse suo defendendum, et viriliter

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riliter servandum, et pacem et dignitatem Coronæ nostræ integram observandam, et ad iudicium rectum, et iustitiam constanter omnibus modis pro posse suo sine dolo et sine dilatione faciendam. Hoc decretum sancitum est in civitate London.

N. B. This was agreeable to the antient Saxon laws, which bound all freemen to the defence of the king and kingdom. The last sentence shews, that these laws were made in different places, and at different times.

60. *Ne venditio et emptio fiat nisi coram-testibus et in civitatibus.*

Interdicimus etiam, ut nulla viva pecunia vendatur aut ematur, nisi intra civitates, et hoc ante tres fideles teste-, nec aliquam rem vetitam sine fidejussore et warranto. Quod si aliter fecerit, solvat et persolvat, et postea forisfacturam.

61. *De emporiis, et jure urbium pagorumque notæ melioris.*

Item nullum mercatum vel forum sit, nec fieri permittatur, nisi in civitatibus regni nostri, et in burgis, et muro vallatis, et in castellis, et in locis tutissimis, ubi consuetudines regni nostri, et jus nostrum commune et dignitates coronæ nostræ, quæ constitutæ sunt a bonis Prædecessoribus nostris deperiri non possint, nec defraudari, nec violari, sed omnia rite et in aperto, et per iudicium et iustitiam fieri debent. Et ideo castella, et burgi, et civitates sitæ sunt et fundatæ et ædificatæ, scilicet, ad tuitionem gentium et populorum regni, et ad defensionem regni, et idcirco observari debent cum omni libertate, et integritate, et ratione.

63. *Firmanitur Leges Edwardi Regis.*

Hoc quoque præcipimus ut omnes habeant et teneant leges Edwardi Regis in omnibus rebus, adauctis his quas constituimus ad utilitatem Anglorum.

N. B. This law may be called *a new charter to the English*, confirming to them all their ancient

cient laws, with such additions, or alterations, only, as had been made in them by William to their advantage. It also extended to the Normans here the benefit of the English laws, so far as they were not altered by the new constitutions made by their prince with their concurrence. For the word *constituimus* implies a parliamentary act.

64. *De justitiæ publicæ fidejussoribus.*

Omnis homo qui voluerit se teneri pro libero, sit in plegio, ut plegius eum habeat ad justitiam si quid offenderit, et quisquam evaserit, talium videant plegii ut solvant quod calumniatum est, et purgent se, quia in evaso nullam fraudem noverint. Requiritur hundredus, et comitatus (sicut antecessores statuerunt) et qui juste venire debent et noluerint, summoneantur semel, et si secundo non venerint, accipiat unus bos; et si tertio, alius bos; et si quarto, reddatur de rebus hujus hominis quod calumniatum est, quod dicitur *ceapgyld*, et insuper Regis forisfactura.

65. *De Servis et eorum manumissione.*

Et prohibemus ut nullus vendat hominem extra patriam: si qui vero velit servum suum liberum facere, tradat eum Vicecomiti per manum dextram in pleno comitatu, quietum illum clarnare debet a jugo servitutis suæ per manumissionem, et ostendat ei liberas vias, et portas, et tradat illi libera arma, scilicet, lanceam, et gladium; deinde liber homo efficitur.

66. *De Servis.*

Item, si Servi permanserint sine calumnia per annum et diem in Civitatibus nostris vel in Burgis Muro vallatis vel in Castris nostris, a die illa liberi efficiuntur, et liberi a jugo servitutis suæ sint in perpetuum.

N. B. See what is said of these three laws in the latter part of the first book of the second volume.

Carta Willielmi.

W. Gratia Dei Rex Angliæ Comitibus, Vicecomitibus, et omnibus Francigenis et Anglis qui in Episcopatu Remegii Episcopi terras habent, salutem. Sciatis vos omnes et cæteri mei fideles, qui in Anglia manent, quod Episcopales Leges, quæ non bene, nec secundum sanctorum Canonum Præcepta, usque ad mea tempora in regno Anglorum fuerunt, communi concilio et consilio Archiepiscoporum meorum, et cæterorum Episcoporum et Abbatum, et omnium Principum Regni mei emendandas judicavi. Propterea mando et regia auctoritate præcipio, ut nullus Episcopus vel Archidiaconus de Legibus Episcopalibus amplius in Hundret placita teneant, nec causam quæ ad regimen animarum pertinet ad iudicium secularium hominum adducant. Sed quicumque secundum Episcopales Leges de quacumque causa vel culpa interpellatus, fuerit, ad locum, quem ad hoc Episcopus elegerit vel nominaverit, veniat, ibique de causa sua respondeat, et non secundum Hundret, sed secundum Canones et Episcopales Leges, rectum Deo et Episcopo suo faciat. Si vero aliquis per superbiam elatus ad iustitiam Episcopalem venire noluerit, vocetur semel, secundo, et tertio; quod si nec sic ad emendationem venerit, excommunicetur, et si opus fuerit ad hoc vindicandum Fortitudo et Iustitia Regis sive Vicecomitis adhibeatur. Ille autem, qui vocatus ad Iustitiam Episcopi venire noluerit, pro unaquaque vocatione Legem Episcopalem emendabit. Hoc etiam defendo et mea auctoritate interdico, ne ullus Vicecomes aut Præpositus aut Minister Regis nec aliquis Laicus homo alium hominem sine iustitia Episcopi ad iudicium adducat. Iudicium vero in
nullo

nullo loco portetur, nisi in Episcopali sede, aut in illo loco quem ad hoc Episcopus constituerit.

N. B. See what is said on this subject in p. 53 and 54 of this volume. I will only add here, that it is unfortunate that we have not those emendations of the episcopal laws in use among the Saxons, which William the First here declares he had judged it proper to make with the advice and consent of his parliament; and which he sets forth as the foundation of this edict, or mandate. I can hardly suppose that his intention of making those emendations was never accomplished; it being much more probable, that we have lost the statute that made them, as well as many others, enacted during his reign.

Vid. Hist.
Ingulph
Gale, Rer.
Angl. Script.
tom. i. p. 88.

N^o. III.

BESIDES these laws above recited, there are some of a penal nature, or concerning criminal matters, to which Ingulphus, abbot of Croyland, tells us, his Lord, King William the Conqueror, had given an authentic and perpetual sanction in his whole realm of England. He delivers them to us, as that prince had enacted them, in the French or Norman language; and calls them *the laws of the most just King Edward*: but Dr. Hickes observes truly, that some of them are quite new, and others altered more or less from the Saxon or Danish laws. I shall give them, with some other penal laws of this king, in the Appendix to my third volume, where I shall exhibit a short view of the criminal law of England, from the earliest times to the death of king Henry the Second. Here I shall only insert a few in that collection, which are of a civil nature, and which I shall give in the Latin translation of them published

Vid. Hickes
Dissertatio,
p. 95.

P. 220, &
seq.

lished by Wilkins, without troubling my reader with the obsolete French original. The Sixth of this Code of laws, and the first I shall give here, is concerning the Replevin of animals.

“ Is qui averium replegiaverit, aut equos, aut boves, aut vaccas, aut porcos aut oves (quod *Fonkenge* Anglicè dicitur) is qui postulat dabit præposito, in toto, pro averio replegiato VIII denarios, nec tamen habeat plus qui centum habet pro obolo, non dabit plusquam VIII denarios, et pro porco IV denarios, et pro ove denarium unum, et pro alio unoquoque quod vivit IV denarios, nihilominus neque habebit nec dabit plusquam VIII denarios, et dabit vadios, et inveniet plegios; sed, si aliquis venerit ad probationem intra annum et diem, ut averium petat, ad rectum habiturum in curiâ, eum [eo] de quo is averium replegiaverit.”

N. B. There is great obscurity both in the translation and original text of this and the following law, which I am not able to clear up. Probably it may arise from the faultiness of the copy in *Ingulphus*, though this is taken from the best that has been found. Mr. *Tyrrel*, in his translation of it into English, has omitted the part where the greatest difficulty lies. In general this law appears favourable to the subject, and calculated to prevent exactions from the people by the king's officers in the case of Replevins.

7. “ Similiter de averio vaganti, et aliâ re inventâ. Ostendatur tribus partibus vicineti, ut testimonium habeat de inventione; si aliquis veniat ad probationem ad rem postulandam, det vadios, et inveniat plegios se, si alius quispiam postulaverit averium intra annum et diem, ad rectum exhibiturum in curiâ, id, quod invenerit.”

APPENDIX

TO THE

FIRST BOOK.

Nº I.

Account of the Fleet which came over with the Conqueror, from an ancient MS in the Museum.

WILLELMUS Dux Normannorum veniens in Angliam, ob adquirendum regnum jure sibi debitum, habuit a Wilhelmo dapifero, filio Osberni, sexaginta Naves. Ab Hugone postea Comite de Cestria totidem. Ab Hugone de Monfort quinquaginta Naves, et sexaginta Milites. A Romo vel Rumi elemosinario Fescanni, postea Episcopo Lincolnensi, unam Navem cum xx Militibus. A Nicholao Abbate de Sancto Audeno xx Naves cum c Militibus. A Roberto Comite Augi sexaginta Naves. A Fulcone claudio xl Naves. A Geroldo dapifero totidem. A Will. Comite d'Evereux octoginta Naves. A Rogero de Montgomeri sexaginta Naves. A Rogero de Beaumont lx Naves. Ab Odone Episcopo de Baios c Naves. A Roberto de Morotein c & xx. A Waltero Giffardo xxx cum c Militibus. Extra has Naves, quæ computatæ simul m efficiunt, habuit Dux a quibusdam suis Hominibus, secundum possibilitatem unius cujusque, multas alias Naves. Matildis, postea Regina, ejusdem Ducis Uxor, ad honorem

APPENDIX TO THE FIRST BOOK.

the latter part of the first book of the second volume.

27. " Si quis vult disfrationare conventionem de terra sua versus dominum suum, per pares suos eadem tenura quos vocavit in testimonium debet illud disfrationare. Nam per extraneos non potest disfrationare."

28. " Qui placitat in curia, cujuscunque curia sit, excepto ubi persona Regis est, et quis eum sistat super eo quod dixerit, rem quam nolit confiteri, si non potest disfrationare per ii intelligentes homines qui interfuerunt placito et videntes, quod non dixerit, recuperet juxta verbum suum."

N. B. This law is obscure.

33. " Eos qui colunt terram non debet quis molestare, præterquam de eorum debito censu. Nec licet Domino feudi amovere cultores de terra sua, quamdiu rectum servitium suum facere possint. Nativi qui discedunt à terra sua non debent cartam falsæ nativitatis quærere, ut non faciant suum rectum servitium quod spectat ad terram suam. Nativum, qui discedit à terra unde est natus et venit ad alteram, nullus retineat, nec eum, nec catalla ejus; sed redire cogatur, ut faciat servitium suum tale quod ad eum spectat: si Domini non faciunt alterius colonum venire ad terram suam, justitia id faciat."

N. B. For the better understanding of the sense of the law see what is said on the subject of socmen, husbandmen, and persons born in servitude, in the latter part of the first book of the second volume.

34. " Nemo Domino suo subtrahat rectum servitium suum, propter ullam remissionem quam ei antea facerit."

42. " Non capiat quis *manium* aliquod in comitatu, nec extra, usque dum ter rectum petierit in hundredo, aut in comitatu; et si ad tertiam vicem rectum non potest habere, eat ad comitatum, et comitatus

comitatus præfigat ei diem quartum, et si ipse defecerit de quibus ipse postulat, tunc licentiam accipiat ut possit *namium* capere pro suo homine et testimonio."

N. B. This is very obscure; but Dr. Hickes translates the word *namium* by *distress*, which will a little help to guess at the sense and purport of it.

43. "Nemo emat quantum iv denariis æstimatur, neque de re mortua, neque de viva, absque testimonio iv hominum aut de burgo aut de villa. Et si quis rem vendicat, et is non habeat testimonium, si nullum habeat warrantum, respondeat alteri catallum suum, et forisfacturam habeat qui habere debet; et si testimonium habeat, ut jam diximus, advocet tribus vicibus, et vice quarta districtionet, aut rem reddat."

N. B. This law is taken from the 22d of King Canute. The restraint it lays upon buying any thing, except in the presence of four witnesses, must have been very inconvenient, though useful to prevent theft.

44. "Nobis rationi consonum non videtur, ut quis appropriationem [*Q. probationem*, in the French *pruvance*] faciat supra testimonium quod cognoverit id quod interest, et quod nihil quis proprium faciat ante terminum vi mensium postquam averium furto sit ablatum."

46. "Nemo alium recipiet ultra tres noctes, nisi is eum illi commendaverit qui ejus fuerit amicus."

47. "Nemo hominem suum a se discedere patiatur antequam retatus fuerit."

49. "Quilibet etiam Dominus habeat servientem suum aut plegium suum, quem, si non retatus fuerit, habeat ad rectum in hundredo.

N. B. Concerning these laws of frank pledge, and restraint on the lodging of strangers, see what is said in the latter part of the first book of the second volume.

No IV.

ANNO Incarnationis Dominicæ M C I. Henricus filius Willelmi Regis post obitum fratris sui Willelmi Dei gracia Rex Anglorum, omnibus fidebus, Salutem. Sciatis me, Dei misericordia et communi consilio Baronum totius Regni Angliæ, ejusdem Regem coronatum esse. Et quia Regnum oppressum erat injustis exactionibus, Ego, Dei respectu et amore quem erga vos habeo, sanctam Dei Ecclesiam inprimis liberam facio; ita quod nec vendam, nec ad firmam ponam, nec mortuo Archiepiscopo, sive Episcopo, sive Abbate, aliquid accipiam de dominico Ecclesiæ, vel de hominibus ejus, donec successor in eam ingrediatur; et omnes malas consuetudines, quibus Regnum Angliæ injuste opprimebatur, inde aufero: Quas malas consuetudines ex parte hic pono. Si quis Baronum, Comitum meorum, sive aliorum qui de me tenent, mortuus fuerit, hæres suus non redimet terram suam, sicut faciebat tempore fratris mei, sed justa et legitima relevatione relevabit eam. Similiter et homines Baronum meorum justa et legitima relevatione relevabunt terras suas de Dominis suis. Et si quis Baronum, vel aliorum hominum meorum, filiam suam nuptum tradere voluerit, sive sororem, sive neptim, sive cognatam, mecum inde loquatur: sed neque ego aliquid de suo pro hac licentia accipiam, neque defendam ei, quin eam det, excepto si eam vellet jungere inimico meo. Et si, mortuo Barone sive alio homine meo, filia hæres remanserit, illam dabo consilio Baronum meorum cum terra sua: Et si, mortuo viro, uxor ejus remanserit, et sine liberis fuerit, dotem suam et maritationem habebit, et eam non dabo marito, nisi secundum velle suum. Si vero uxor cum liberis remanserit, dotem quidem et maritationem habebit, dum corpus suum legitime servaverit, et eam non dabo nisi secundum velle suum: et terræ et liberorum custos erit, sive uxor,
sive

sive alius propinquarius qui justius esse debeat. Et præcipio quod Barones mei similiter se contineant erga filios et filias vel uxores hominum suorum. Monetagium commune, quod capiebatur per Civitates et Comitatus, quod non fuit tempore Regis Edwardi, hoc ne amodo fiat omnino defendo. Si quis captus fuerit, sive Monetarius, sive alius, cum falsa moneta, justitia recta inde fiat. Omnia placita, et omnia debita quæ fratri meo debebantur condono, exceptis rectis firmis meis, et exceptis illis quæ pacta erant pro aliorum hæreditatibus, vel pro eis rebus quæ justius aliis contingebant. Et si quis hæreditate sua aliquid pepigerat, illud condono, et omnes relevationes quæ pro rectis hæreditatibus pactæ fuerant: et si quis Baronum vel hominum meorum infirmabitur, sicut ipse dabit vel dare disponet pecuniam suam, ita datam esse concedo; quod si ipse præventus armis vel infirmitate pecuniam suam non dederit, vel dare disposuerit, uxor sua, sive liberi aut parentes, et legitimi homines ejus eam pro anima ejus dividant, sicut eis melius visum fuerit. Si quis forisfecerit, non dabit vadium in misericordia pecuniæ, sicut faciebat tempore patris mei vel fratris mei; sed secundum modum forisfacti ita emendabit, sicut emendasset retro a tempore patris mei in tempore aliorum Antecessorum meorum. Quod si perfidiæ vel sceleris convictus fuerit, sicut justum fuerit, sic emendet. Murdra etiam retro ab illo die, quo in Regem coronatus fui, omnia condono; et ea quæ amodo facta fuerint, juste emendentur secundum Legem Regis Edwardi. Forestas omni * con- * P. com-
sensu Baronum meorum in manu mea retinui, sicut muni.

pater meus eas habuit. Militibus qui per loricas terras suas defendunt terras dominicarum carucarum suarum quietas ab omnibus gildis et omni opere proprio dono meo concedo, ut sicut tam magno allevamine alleviati sunt, ita se equis et armis bene instruant ad servitium meum, et ad defensionem

S f 2

Regni

Regni mei. Pacem firmam in toto regno meo pono et teneri amodo præcipio. Lagam Edwardi Regis vobis reddo, cum illis emendationibus quibus pater meus eam emendavit consilio Baronum suorum. Si quis aliquid de rebus meis, vel de rebus alicujus post obitum Willelmi Regis fratris mei cepit, totum cito sine emendatione reddatur; et si quis inde aliquid retinuerit, ille, super quem inventum fuerit, mihi graviter emendabit. Testibus M. Lundoniæ episcopo, et Gundulfo episcopo, et Willelmo electo episcopo, et Henrico comite, et Sim. comite, et Waltero Giffardo, et Roberto de Monfort, et Rogero Bigoto, et Henrico de Portu apud Londoniam quando fui coronatus.

N. B. See what is said of this charter in the first book of this volume, p. 115. and 116. and in the notes thereto. See also the latter part of the first book of the second volume and notes. The copy here given is taken from the most ancient we have, viz. the Textus Roffensis, which has been published by Mr. Hearne, and since by Dr. Blackstone in his book on the Great Charter.

N^o V.

Charta Regis Henrici primi, ubi Comitatus teneri debet, et ubi placita de divisis terrarum. E codice Dom. H. Spelman. Regum Veterum Statutorum Regni Angliæ.

HENRICUS Rex Anglorum Sampsoni Episcopo et Ursoni de Abetot, et omnibus Baronibus suis Francis et Anglicis de Wirecestria, Salutem.

Sciatis quod concedo et præcipio, ut amodo Comitatus mei et Hundredi in illis locis et eisdem terminis sedeant, sicut federunt in tempore Regis Edwardi, et non aliter. Ego enim, quando voluero, faciam ea satis summoneri propter mea dominica necessaria ad voluntatem

luntatem meam. Et si amodo exurgat placitum de divisione terrarum, si est inter Barones meos dominicos, tractetur placitum in Curia mea. Et si est inter Vavassores duorum Dominorum, tractetur in Comitatu; et hoc Duello fiat, nisi in eis remanserit.

Et volo et præcipio, ut omnes de Comitatu eant ad Comitatus et Hundreda, sicut fecerint tempore Regis Edwardi: nec remaneant propter aliquam causam pacem meam, vel quietudinem, qui non sequuntur placita mea et judicia mea, sicut tunc temporis fecissent. Teste R. Episcopo Londoniæ, et R. Episcopo, et Ranulfo Cancell. et R. Comite de Mell. apud Rading.

N. B. From hence it appears, that in the reign of King Henry the First there were in Worcesterhire some English barons holding of the crown, as well as Norman or French; and it is not to be supposed that they were only confined to that county. This statute is very important with regard to the jurisdictions of the king's court, and of the courts of the County and Hundreds. I shall say more of it in my third volume, where I shall treat of the institution of regular annual circuits of itinerant justices by King Henry the Second, and there also I shall consider the method of trials by duel, of which mention is made in this statute. There are many other laws ascribed to Henry the First, but, as I do not think the collection genuine, I have not inserted them here. See what is said on this subject in the latter part of the first book of the second volume, and the notes thereto.

N^o VI.*Charta Stephani Regis de Libertatibus.*

*From an ancient manuscript in the Cotton Library
(Clausius D. ii. f. 75.) and Dr. Blackstone's Book
on the Great Charter.*

STEPHANUS Dei Gratia Rex Angliæ Justic. Vicecomitibus, Baronibus, et omnibus ministris et fidelibus suis, Francis et Anglicis, Salutem.

Sciatis me concessisse et præsentî Chartæ confirmasse omnibus Baronibus et hominibus meis de Angliæ omnes libertates et bonas leges, quas Henricus Rex Angliæ, avunculus meus, eis dedit et concessit, et omnes bonas leges et bonas consuetudines eis concedo quas habuerunt tempore Regis Edwardi. Quare volo et firmiter præcipio; quod habeant et teneant omnes illas bonas leges et libertates de me et hæredibus meis, ipsi et hæredes sui, libere, quiete, et plenarie. Et prohibeo ne quis eis super hiis molestiam vel impedimentum vel diminutionem faciat, super forisfacturam meam. Teste Willielmo Martel apud London.

N^o VII.

Carta Stephani Regis, de Libertatibus Ecclesiæ & Regno concessis. Ex Originali, inter Archivos Dec. & Capitul. Exon. reservato.

EGO Stephanus Dei gratia, assensu Cleri et Populi in regem Anglorum electus, et a Domino Willielmo Cantuar. Archiepiscopo et sanctæ Romanæ Ecclesiæ legato consecratus, et ab Innocentio sanctæ Romanæ sedis pontifice confirmatus, respectu et amore Dei sanctam Ecclesiam liberam esse concedo, et debitam reverentiam illi confirmo. Nihil me in Ecclesia vel rebus ecclesiasticis simoniace

niace acturum vel permissurum esse promitto. Ecclesiasticarum personarum et omnium Clericorum et rerum eorundem Justitiam et Potestatem, et distributionem bonorum Ecclesiasticorum in manu Episcoporum esse perhibeo et confirmo. Dignitates Ecclesiarum privilegiis earum confirmatas, et consuetudines earum antiquo tenore habitas, inviolatè manere statuo et concedo. Omnes Ecclesiarum possessiones et tenuras, quas die illa habuerunt quæ W. Rex Avus meus fuit vivus et mortuus, sine omni calumpniantium reclamazione eis liberas et absolutas esse concedo. Si quid vero de habitis vel possessis ante mortem ejusdem Regis, quibus modo careat, Ecclesia deinceps repetierit, indulgentiæ et dispensationi meæ vel restituendum vel discutiendum reservo. Quæcunque vero post mortem ipsius Regis, liberalitate Regum, vel largitione Principum, oblatione vel comparatione, vel qualibet transmutatione fidelium eis collata sunt, confirmo. Pacem et Justiciam me in omnibus facturum et pro posse meo conservaturum eis promitto. Forestas quas W. avus meus et W. avunculus meus instituerunt et habuerunt, mihi reservo. Ceteras omnes, quas Rex H. superaddidit, Ecclesiis et Regno quietas reddo et concedo. Siquis Episcopus vel Abbas vel alia Ecclesiastica Persona ante mortem suam rationabiliter sua distribuerit vel distribuenda statuerit, firmum manere concedo. Si vero morte præoccupatus fuerit, pro salute animæ ejus Ecclesiæ consilio eadem fiat distributio. Dum vero sedes propriis pastoribus vacuæ fuerint, ipsas et earum possessiones omnes in manu et custodia Clericorum vel proborum hominum ejusdem Ecclesiæ committam, donec Pastor canonice substitutur. Omnes exactiones et injusticias et mescheningas, sive per vicecomites vel per alios quoslibet male inductas, funditus extirpo. Bonas Leges et antiquas, et justas consuetudines in murdris, et placitis, et aliis caulis observabo, et observari præcipio et constituo. Hæc

S f 4

omnia

omnia concedo et confirmo, salva regia et iusta dignitate mea. Testibus W. Cantuar. Archiepiscopo, et Hug. Rothom. Archiepiscopo, et Henrico Winton Episcopo, et Rogero Sarum Episcopo, et A. Linc Episcopo, et Nigell. Eliens. Episcopo, et Eurardo Norvic. Episcopo, et Simone Wigorn. Episcopo, et Bernar. Episcopo de *St. David*, et Audoen. Ebroic. Episcopo, et Ricar. Abrinc. Episcopo, et Rob. Heref. Episcopo, et Johan. Rovec. Episcopo, et Athelulfo Carlol. Episcopo, et Rogero Cancellario, et Henrico nepote Regis, et Rob. de fisc. et R. Comite Gloec. et Will. Comite de Warrena, et Rad. Comite Cestrie et Rob. Comite de Warewic, et Rob. de Ver. et Milone de Gloec. et Brient fil. Comitea, et Rob. de Oilli Conestabulariis, Will. Martel. et Hugone Bigot, et Humfred. de Bohun. et Tim. de Bellocamp dapiferis, et Will. de Albin. et Eudone Martel. Pincerna, et Rob. de Ferrariis, et Will. Peuerel de Notingham, et Sim. de *Santliz.* et Will. de Alban, et Pagano fil. Johan. et Hamone de Sto Claro, et Gilberto de Laceio. Apud Oxenford anno ab incarnatione Domini m. c. xxxvi. sed Regni mei primo.

N. B. See what is said of these two charters, p. 192. and 193. of this volume. Dr Blackstone has given a copy of the latter from Mr. Hearne (Not. ad Gul. Neubrigenf. 711.) who says he took it from an original which had been in his hands. I have compared them, and find some variations, but none that are material with regard to the sense, except that the last words of Hearne's end with the words—in communi concilio, instead of—sed regni mei primo.

Nº VIII.

Pope Innocent's bull for the confirming of Stephen's election to the kingdom of England. From Rich. Hagustald. inter Decem Scriptores, p. 313,

314.

INNOCENTIUS Episcopus, servus servorum Dei, carissimo in Christo filio Stephano illustri Anglorum Regi Salutem et Apostolicam benedictionem. Rex regum et Dominus dominantium, in cujus manu sunt omnium potestates et omnia jura regnorum, ex incomprehensibili supernæ providentiæ dispensatione, quando vult, mutat tempora et transfert regna. Sicut enim attestatur propheta, *Dominatur excelsus in regno hominum, et cui voluerit dat illud.* Quot commoditates, quanta jocunditatis tranquillitas, quantaque justitiæ censura in regno Angliæ et ducatu Normanniæ, regnante filio nostro gloriosæ memoriæ Henrico rege, viguerunt, eo humanis rebus exempto oculata fide perclaruit. Cum enim idem esset religiosorum virorum amator, pacis et justitiæ cultor, viduarum et orphanorum propitius consolator, et eorum qui impotentia defendere se non poterant pius defensor, ipso sublato de medio, prout accepimus, turbata est religio in regno Angliæ, et nullum mandatum pacis seu justitiæ in adjutorio regali vigeat, atque atrocitatem tantorum scelerum comitabatur impunitas. Ne autem diutius grassando in populum Dei debacchari posset dira feralitas, inclinata est ad preces religiosorum virorum divinæ miseriatio pietatis, et tantis flagitiis potenter occurrens, (quemadmodum venerabilium fratrum nostrorum, Archiepiscoporum, Episcoporum earundem regionum, et amatorum sanctæ Romanæ ecclesiæ, gloriosi Francorum regis, et illustres viri Comitum Theobaldi scripta testantur, et illustrium virorum nobis indicavit assertio) communi voto et unanimi assensu

assensu tam procerum quam etiam populi, te in regem eligere et a præsulibus regni consecrari providit. Nos cognoscentes vota tantorum virorum in personam tuam, præcunte divina gratia, convenisse, pro spe etiam certa te beato Petro in ipsa consecrationis tuæ die obedientiam et reverentiam promississe, et quia de præfati regis prosapia propeposito gradu originem traxisse dinosceris, quod de te factum est gratum habentes, te in specialem beati Petri et sanctæ Romanæ ecclesiæ filium affectione paternæ recipimus, et in eadem honoris et familiaritatis prærogativa qua prædecessor tuus, egregie recordationis Henricum, à nobis coronabatur, te propensius volumus retinere.

N. B. See what is said of this bull p. 194. to 198. of this volume. I will add here, that it does not appear to me from the best accounts of those times, that the disorders which broke out in the kingdom of England on the death of Henry the First were of such a nature, that they could not have been easily restrained by the grand justiciary, if he had done his duty as regent and guardian of the kingdom in the absence of Matilda. Yet the first reason given by Innocent in this bull to justify Stephen's election, is the necessity of opposing and stopping those disorders. But the real motives, which inclined his Holiness to approve and confirm that election, were those afterwards mentioned, viz. the recommendations of the English prelates, of the king of France, of the earl of Blois, and the promises made by Stephen of *obedience and reverence to St. Peter.*

N^o IX.

*Extract. e Literis G. Abb. Gloc. ad fil. Brierley.
Cave Manuscr. Epist. Gilb. Fol. episc. London.
in Bibliotheca Bodleiana.*

NON diu est quod audisti Dominum Papam Innocentium convocasse Ecclesiam et Romæ conventum celebrem habuisse. Magno illi Conventui cum Domino et Patre nostro Domino Albate Cluniacensi interfui et ego Cluniacensium minimus. Ibi causa hæc in medium deducta est, et aliquandiu ventilata: stabatque ab Imperatrice Dominus Andegavensis Episcopus, qui cum causam ejus diligenter percurrisset oratione, contra ipsum, quasi cum voce præconia, in communi audientia declamatum est. Et quia Dominus Andegavensis duo inducebat præcipue, Jus scilicet hereditarium et factum Imperatrici juramentum; contra hæc duo in hæc verba responsum est. Oportet in causis omnibus, quæ multiplici jure nituntur, hoc considerare præcipue, quid sit jus principale in causâ, quo causa ipsa principaliter innititur; quod vero secundarium sit, et ab ipso principali dependens. Sublato enim jure principali, necessario tollitur et secundarium. In hac igitur causâ principale est, quod Dominus Andegavensis de hereditate inducit; et ab hoc totum illud dependet, quod de juramento subjungitur: Imperatrici namque, sicut heredi, juramentum factum fuisse pronunciat. Totum igitur quod de juramento inducitur exinaniri necesse est, si de ipso hereditario jure non constiterit. Ipsum vero sic infringitur: Imperatricem, de qua loquitur, non de legitimo matrimonio ortam denunciâmus. Deviauit a legitimo tramite Henricus Rex, et quam non licebat sibi junxit matrimonio, unde istius sunt Natalitia propagata; quare illam Patri in heredem non debere succedere et Sacra denunciant. Hoc in communi audientia multorum vociferatione declamatum est, et nihil omnino ab altera parte responsum.

N. B.

APPENDIX TO THE FIRST BOOK.

N. B. This is printed without the abbreviations in the original, and some stops are added, to make it clearer. See what is said of it from p. 194 to 198. of this volume.

N^o X.

Charta Conventionum inter Regem Stephanum, et Henricum filium Matildæ Imperatricis, de successione Regni Angliæ.

Rymeri
Fœdera,
tom. i p.
13. &
J. Brompton
inter Decem
Scriptores,
p. 1037.

STEPHANUS Rex Angliæ Archiepiscopis, Episcopis, Abbatibus, Comitibus, Justiciariis, Vicecomitibus, Baronibus, et omnibus Fidelibus suis Angliæ, Salutem.

Sciatis quod ego Rex Stephanus Henricum Ducem Normanniæ post me successorem regni Angliæ et hæredem meum jure hæreditario constitui, et sic ei et hæredibus suis regnum Angliæ donavi, et confirmavi.

Dux vero, propter hunc honorem, et donationem, et confirmationem sibi à me factam, homagium mihi et sacramento securitatem fecit; scilicet quod fidelis mihi erit, et vitam et honorem meum pro suo posse custodiet per conventiones inter nos prælocutas, quæ in hac Carta continentur. Ego etiam securitatem sacramento Duci feci, quod vitam et honorem ei pro posse meo custodiam, et sicut filium et hæredem meum in omnibus, in quibus potero, eum manutenebo, et custodiam contra omnes quos potero. Willielmus autem filius meus homagium et securitatem Duci Normanniæ fecit, et Dux ei concessit ad tenendum de se omnes terras, quas ego tenui antequam regnum Angliæ adeptus essem, sive in Anglia, sive in Normannia, sive in aliis locis; et quicquid cum filia Warrenniæ Comitis accepit, sive in Anglia, sive in Normannia, et quicquid ad honores illos pertinet; et de omnibus terris, villis, et burgis, et redditibus, quos Dux in dominio suo inde nunc habet, et nominatim de illis quæ pertinent ad honorem Comitis Warrenniæ, Willielmum filium meum et homines illius, qui de honore illo sunt, plenarie

plenarie sayfiet, et nominatim de Castello de Belencumbre, et caſtro Mortui-maris; ita ſcilicet, quod Reginaldus de Warrennia, caſtrum de Belencumbre, et caſtrum Mortui-maris cuſtodiet, ſi voluerit, et dabit inde Duci obſides: ſi vero noluerit, alii de ligeis hominibus Comitſ Warrenniæ, quos Dux voluerit, ſimiliter per ſalvos obſides et ſalvam cuſtodiam eadem caſtra cuſtodient.

Alia vero Caſtra, quæ pertinent ad Comitem Moretoniæ, Dux ei reddet ad voluntatem meam, cum poterit, per ſalvam cuſtodiam et per ſalvos obſides: Ita quod omnes obſides reddantur filio meo quiete, quando Dux Regnum Angliæ habebit.

Incrementum etiam quod ego Willielmo filio meo dedi, ipſe Dux ei conceſſit, caſtra ſcilicet et villas de Norwico infra cum ſeptingentis libratis terræ, ita quod redditus de Norwico infra illas ſeptingentas libratas computetur; et totum Comitatum de Northfolk, præter illa quæ pertinent ad Eccleſias et Prælatos, et Abbates, et Comites, et nominatim præter tertium denarium, unde Hugo Bigotus eſt Comes, (ſalva et reſervata in omnibus regali juſtitia).

Item, ad roborandum gratiam meam et dilectionem, dedit ei Dux, et conceſſit omnia quæ Richerus de Aquila habebat de honore Peveneffeli. Et præter hæc caſtra et villas Peveneffeli et ſervitium Faramuſi, præter caſtra et villas de Dovre, et quod ad honorem de Dovre pertinet, Eccleſiam de Faureſham cum pertinentiis ſuis Dux confirmavit, et alia aliis Eccleſiis a me data vel reddita conſilio ſanctæ Eccleſiæ et meo confirmabit.

Comites et Barones Ducis, qui homines mei nunquam fuerunt, pro honore, quem Domino ſuo feci, homagium et ſacramentum mihi fecerunt, ſalvis conventionibus inter me et Ducem factis; cæteri vero qui antea homagium mihi fecerant, fidelitatem mihi fecerunt, ſicut Domino.

Et ſi Dux a præmiſſis recederit, omnino a ſervitio ejus ipſi ceſſarent quouſque errata corrigeret; filius meus

meus etiam, secundum consilium sanctæ Ecclesiæ, se inde contineret, si Dux a prædictis recederet.

Comites etiam et Barones mei ligium homagium Duci fecerunt, salva mea fidelitate quamdiu vixero et regnum tenuero, simili lege, quod si ego a prædictis recederem, omnino a servitio meo cessarent quousque errata corrigerem.

Cives etiam civitatem, et homines castrorum, quæ in Dominio meo habeo, ex præcepto meo homagium et securitatem Duci fecerunt, salva fidelitate mea quamdiu vixero et regnum tenuero; illi autem, qui castrum Walingford custodiunt, homagium mihi fecerunt, et dederunt mihi obsides de fidelitate mihi servanda.

Ego vero de castris et murationibus meis securitatem talem Duci, consilio sanctæ Ecclesiæ, feci, ne Dux, me decedente, per hoc dampnum aut impedimentum regni incurrat.

Etiam turris Londoniensis Richardo de Luceio, et mota Windefores consilio sanctæ Ecclesiæ ad custodiendum traditæ sunt: Richardus autem de Luceio juravit in manu Archiepiscopi, et in custodia filium suum obsidem dedit, quod post meum discessum castra prædicta Duci redderet.

Similiter, consilio sanctæ Ecclesiæ, Rogerus de Luceio motam de Oxoneford, et Jordanus de Buselo firmitatem Lincolnæ custodiunt, et ligii homines Ducis sunt, et juraverunt, et obsides inde dederunt in manu Archiepiscopi, quod, si ego decederem, Duci munitiones sine impedimento redderent.

Episcopus Wintoniensis, in manu Archiepiscopi Cantuariensis, coram Episcopis affidavit, quod, si ego decederem, castrum Wintoniæ et munitionem Hamptoniæ Duci redderet.

Quod si aliquis eorum, quibus munitionum custodia commissa fuerat, moreretur, aut a custodia sibi deputata recederet, consilio sanctæ Ecclesiæ alius custos ibi statueretur, priusquam ille recederet.

Si vero aliquis de hiis, qui meas munitiones custodiunt, contumax vel rebellis extiterit, de castris scilicet, quæ ad coronam pertinent, communi consilio ego et Dux nos inde continebimus, quousque ad voluntatem utriusque nostrum cogatur satisfacere.

Archiepiscopi, Episcopi, atque Abbates de regno Angliæ, ex præcepto meo, fidelitatem sacramento Duci fecerunt.

Illi quoque, qui in regno Angliæ Episcopi deinceps fient, vel Abbates, idem facient.

Archiepiscopi vero et Episcopi, ab utraque parte, in manu ceperunt, quod, si quis nostrum a prædictis conventionibus recederet, tamdiu eum cum ecclesiastica iustitia coercebunt, quousque errata corrigat, et ad prædictam pacem observandam redeat.

Pater etiam Ducis, et ejus uxor, et fratres ipsius Ducis, et omnes sui, quos ad hoc applicare poterit, hæc asscurabunt.

In negotiis autem regni ego consilio Ducis operabor.

Ego vero in toto regno Angliæ, tam in parte Ducis quam in parte mea justiciam exercebo regalem.

Testibus hiis omnibus :

Theobaldo Archiepiscopo.

Henrico Wintoniensi Episcopo.

Roberto Exoniensi Episcopo.

Roberto Bathoniensi Episcopo.

Golecino Salesburiensi Episcopo.

Roberto Lincolnensi Episcopo.

Hilario Ciestrensi Episcopo.

Willielmo Norwicensi Episcopo.

Richardo London Episcopo.

Nigello Elyensi Episcopo.

Gyleberto Hardefordensi Episcopo.

Johanne Wygornensi Episcopo.

Waltero Cestrensi Episcopo.

Waltero Roffensi Episcopo.

Galfrydo de S. Asaph Episcopo.

Roberto Priore Bermundsey.

Otun Milite Templi.
Willielmo Comite Ciceftrenfi.
Roberto Comite Leyceftrenfi.
Willielmo Comite Glouceftrenfi.
Raynoldo Comite Cornvallia.
Baldewyno de Donyngton.
Rogerio Harfordia.
Hugone Bygoto.
Patricio Salyfberienfi.
Willielmo de Alba Marla.
Alberico Comite.
Richardo de Luceio.
Willielmo Martel.
Richardo de Humez.
Reginaldo de Warrennia.
Manafe Bifet.
Johanne de Port.
Richardo de Carnavilla.
Henrico de Effexe.

Apud Westmonafterium.

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